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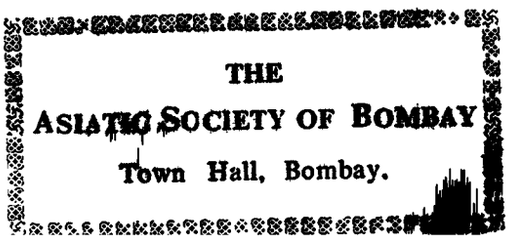

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Selections Nos. X. and XI. will contain Reports made in the years 1825, 1826, and 1827, by the Officers employed in the Goozerat Revenue Survey.

SELECTIONS FROM THE RECORDS OF THE BOMBAY GOVERNMENT.
No. IX.

INAM COMMISSIONER'S REPORT

ON THE

CLAIM OF MAHADAJEE OORF NAGO PUNT SADASEW BAPUT

TO THE

VILLAGE OF MODUGAY,

IN THE

PADSHAPOOR TALOOKA OF THE BELGAUM COLLECTORATE,

AND

THE INSTRUCTIONS ISSUED THEREON BY GOVERNMENT.

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Printed for the information of the Revenue Officers under the Government of Bombay.

H. E. GOLDSMID,
Secretary to Government.

Revenue Secretary's Office,
16*th May* 1853.

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1853.

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REPORT.

1. On the 23rd of August 1845 the Collector of Belgaum wrote to the Inam Commission, stating that the village of Modugay, held as Surv-Inam by Mahadajee Sudasew Bapput, was apparently enjoyed by him without just title. The Collector, therefore, referred Bapput's claim for the further investigation of the Commission.

2. The Commission was, however, at that time prevented from completing an investigation of the case, owing to its labours being temporarily restricted by the orders of Government to the talookas of Nuwulgoond and Hooblee; but the restriction alluded to having been removed in April last, the Commission has since then instituted an inquiry into Bapput's title, the result of which is to be submitted to Government in the following paragraphs.

3. The Commission will, in the first place, detail all the information regarding the history of Modugay, which has been obtained from the Government records* in its charge.

4. Modugay is a village of tuppa Sambrey, in the purgunna of Shahapoor, a division of the original purgunna of Azumnuggur, which came into the hands of the Poona Government, according to the terms of a treaty concluded in A. D. 1755-6 between its former ruler, the Nuwaub of Savanoor, and the third Paishwa, Ballajee Bajeerow.

5. There are not in the Poona Dufter any accounts of purgunna Azumnuggur for the two years subsequent to its acquisition by the Paishwa; but in a detailed account of it and other mahals managed by a Comavisdar named Luchmon Konher, which account was drawn up for A. D. 1758-9, among the items of revenue entered as realized from purgunna Azumnuggur, is one of Rs. 814 on account of the revenue of mouza Modugay for the current year; and a note is inserted, to the effect that the rest of what was due (the amount is not stated) had not been collected for Government "because the village had been given to Ballajee Dewurow." Nothing is said in this document of the tenure on which the village had been so given, nor of the time at which the allotment of it to Ballajee Dewurow took place; though that it was made over to him late in the year A. D. 1758-9 may be inferred from the large amount of that year's revenue, which had been previously collected from it for Government, as above stated.

6. An account similar to that last referred to, but drawn up for the succeeding year, A. D. 1759-60, has mouza Modugay first of all entered as a village of tuppa Sambrey, and then deducted, "because," it is said, "the whole village had been given *as service wages* to Ballajee Dewurow Vakeel, by a Sunnud from the Hoozoor dated the 23rd of Jumad-ool Awul in Soorsun Teesa," A. D. 1758-9. The valuation at which the village is thus brought to account, and then deducted, is Rs. 918-10-0, which, it is noted, was its revenue according to the Jhurtee of Soorsun Suman, A. D. 1757-8. A "Talee-

* The result of the Commission's examination of the Poona records is detailed from para. 4 to 28. The authorities are more particularly described in the table which forms an Appendix to this Report.

bund Azmas" of purgunna Azumnuggur for the same year (A. D. 1759-60) contains entries in every respect corresponding with those of the above mentioned account.

7. The Hoozoor Roz Kheerds (or Government diaries) for A.D. 1758-9 are unfortunately imperfect, and there is no register forthcoming of the date mentioned in the accounts quoted in the last paragraph as that of Ballajee Dewurow's Sunnud, nor for several months before or after it. The Commission has, therefore, been unable to refer to the registry of the Sunnud in question to discover on what terms the village was granted to Ballajee Dewurow. That it was allotted to him as *wages for service* is, however, evident from the accounts of A. D. 1759-60, mentioned above; and the same fact will appear from records to be hereafter described.

8. An account of A. D. 1760-1 has, like those above mentioned, mouza Modugay entered among the villages of tuppa Sambrey "at the preceding year's valuation of Rs. 918-10-0," and again deducted, at the same valuation, as "given to Ballajee Dewurow Vakeel (to keep his family in) as service wages."

9. In the year A. D. 1763-4 several mahals, including purgunna Shahapoor, were assigned by the Paishwa as Surinjam for the support of the troops under Govind Hurree Putwurdhun. In the Sunnud issued from the Hoozoor for this assignment is a clause excluding from the Surinjam all Doomalla villages in the mahals allotted; and the Azmas of the Surinjam drawn up for the same year shows that one village in purgunna Azumnuggur, or Shahapoor, to be thus excluded was "mouza Modugay, with Ballajee Dewurow."

10. In the next year, A. D. 1764-5, a Tynat Jabita, or official valuation of the authorized income and expenditure of the Purtwurdhun's Surinjam, was issued from the Hoozoor. Mouza Modugay is not mentioned in this document, and all the information that can be gathered from it respecting this village is, that *it was excluded from the Surinjam*,—a fact which may be deduced from the gross income to be received by the Putwurdhuns from Shahapoor being stated as Rs. 43,675-12-0, which, as will be seen from the next paragraph, is a sum less than the full valuation of the purgunna by just the amount at which the revenue of Modugay is estimated in the above accounts.

11. The Hoozoor Ghurnee account of the Putwurdhun's Surinjam in the following year, A. D. 1765-6, has purgunna Shahapoor first entered in the Surinjam at the valuation of Rs. 44,594-4-0, "out of which," it is stated, "is to be deducted the revenue of mouza Modugay, which village is with Mahadajee Bullal, the son of Ballajee Dewurow; and this revenue is (in consequence of there being in the mahal no proof of its value) to be estimated as Rs. 918-8-0, leaving for the revenue of the purgunna Rs. 43,675-12-0." "But," the account goes on to say, "according to the accounts of the current year, the actual revenue amounts to Rs. 47,667-14-9, to which add Rs. 918-8-0 as the revenue of the village with Mahadajee Bullal, before entirely excluded,* and the gross total revenue of purgunna Shahapoor will amount to Rs. 48,586-6-6." After thus bringing this sum to account as the valuation of Shahapoor, the Ghurnee account shows, under various heads, the authorized deductions to be made; and one of these, under the head "expenses of the troops, &c.," is an item of Rs. 918-8-0, being "the revenue, according to the valuation of the time of Luchmon Konher,† of mouza Modugay, which village is held as service wages by Ballajee Dewurow's son, Mahadajee Bullal."

12. The Ghurnee account of the Putwurdhun's Surinjam for the next year, A. D. 1766-7, has, like that last described, purgunna Shahapoor entered in the Surinjam, at the valuation of Rs. 44,594-4-0, from which is deducted the sum of Rs. 918-8-0, the

* By "entirely excluded" is meant that it was not entered as part of the gross valuation, and *then* deducted, but that the valuation given as that of the purgunna had hitherto been altogether exclusive of that of Modugay; the accounts having been prepared as if no such village existed.

† The forthcoming accounts of Luchmon Konher's time are quoted above, in paras. 5, 6, and 8.

assumed revenue of "Modugay, with Ballajee Dewurow's son," leaving the revenue of the purgunna Rs. 43,675-12-0 as in the opening of the account of the previous year. "But," it is said in the Ghurnee, "this revenue really amounts, according to the accounts of the current year, to Rs. 51,931-13-0, to which add the revenue of Modugay, with Mahadajee Bullal, the son of Ballajee Dewurow, Rs. 918-8-0, at first excluded, and the total revenue of Shahapoor will amount to Rs. 52,850-5-0. The authorized deductions to be made from this gross sum are then shown; and the entry among them regarding Modugay in every way agrees with the corresponding entry in the Ghurnee of the preceding year, described in the last paragraph; the village being deducted as "Rs. 918-8-0, Mahadajee Bullal's service wages, at the valuation of the time of Luchmon Konher's management."

13. The Hoozoor Roz Kheerd shows that, on the 13th of Zilhej in the same year, A. D. 1766-7, the Paishwa issued orders for instituting an investigation into the Doomalla holdings, &c. deducted from the Putwurdhun Surinjams south of the Krishna river, leaving it at the discretion of the investigator to continue, as far as the amount of Rupees twenty-five, any allowance of temples or Brahmans which might be proved to have been enjoyed for a long period; but desiring that anything above the sum of Rupees twenty-five in each case should be collected and placed in deposit, pending the orders of Government; and that nothing should be continued without a Sunnud from the Hoozoor. Among the letters issued on the abovenamed date, for carrying these orders into effect, is one to the village officers of mouza Modugay, in purgunna Shahapoor, informing them that "the Comavis of their village, which was attached, was made over to be managed by Gopal Row Govind, to whom they were, therefore, to yield its management without objection."

14. A Doomalla Jhara, or scrutiny,* drawn up for the following year, A. D. 1767-8, of the Doomalla holdings situated in the mahals under the Putwurdhuns, but excluded from their Surinjam, has mouza Modugay entered among the exceptions, in the name of Ballajee Dewurow, with a marginal note opposite the entry, stating that it was deducted in the Government accounts."

15. On the 30th of Jumad-ool Awul, in A. D. 1768-9, a Sunnud was issued from the Hoozoor, formally recognizing the succession of Ballajee Dewurow's son, who, from several of the accounts quoted above, is seen to have already got possession of his deceased father's village. The purport of the Sunnud issued was, that "mouza Modugay, in tuppa Sambrey, of purgunna Azumnuggur, was held as service wages by Ballajee Dewurow, who is now dead; wherefore it is agreed that the village shall be continued to his son, Mahadajee Bullal, in like manner, on the same terms as before." The Ghurnee Surinjam accounts of the same year, also, have Modugay entered as "continued in lieu of service wages to Mahadajee Bullal, son of Ballajee Dewurow."

16. The Hoozoor accounts of the Putwurdhun's Surinjam for A. D. 1769-70, 1770-1, 1771-2, 1772-3, 1773-4,† 1774-5, 1775-6, 1776-7, 1777-8, 1778-9, 1779-80, 1780-1, 1781-2, 1782-3, 1783-4, and 1784-5, all agree with the records above quoted, in excluding from the Surinjam the village of Modugay, and in estimating its revenue at Rs. 918-8-0, the authority for which valuation is shown above, in para. 6, to have been the Jhurtee of A. D. 1757-8, when purgunna Azumnuggur or Shahapoor was managed by Luchmon Konher. In every one of these accounts Modugay is entered as held by Mahadajee Bullal, the son of Ballajee Dewurow, in lieu of service wages.

17. The accounts quoted in the last paragraph bring the history of Modugay down to the twenty-sixth year after that of its assignment to Ballajee Dewurow, showing

* This Doomalla Jhara of A. D. 1767-8 appears to have been intended for a statement of the result of the investigation ordered by the Paishwa in the preceding year, as explained in the 13th paragraph.

† One of the accounts of A. D. 1773-4, in which Modugay is entered as "held instead of service wages," is the Tynat Jabita of the Putwurdhun Surinjams issued in this year by the Paishwa to Wamun Row Govind Putwurdhun. This is a fact to which it will be necessary hereafter to particularly refer.

that during that period it was always regarded as entirely distinct and excluded from the Putwurdhun's Surinjam, being held instead of Rs. 918-8-0 of service wages by Ballajee Dewurow, and after his death by his son, Mahadajee Bullal. The only interruption of enjoyment during this period, of which there is any notice in the Government records, was that alluded to in the account quoted in the 13th paragraph, which was apparently a mere temporary attachment of the village, pending the investigation ordered in 1766-7. The Doomalla Jhara mentioned in para. 14 appears to have been the report of the result of the investigation in question; and that the decision of Government was favorable in the case of Bapput is shown by the fact recorded in the Sunnud described in the 15th paragraph, by which the Paishwa formally permitted Mahadajee Bullal to hold Modugay as his deceased father had done before him, that is to say in lieu of service wages.

18. But though the continuance of the village during this period was so far uninterrupted, the Government accounts show that, on several occasions, money was levied from Bapput on account of it. The Paishwa's Roz Kheerd, or diary, for the year A. D. 1775-6, proves that on the 28th of Ramzan in that year some Silledars were paid the sum of Rs. 568, by an assignment on the revenues of Modugay; one year's income of which, it had been settled, was to be received from Mahadajee Bullal, who held the village for his necessary expenses; and, again, the same diary records a similar payment of Rs. 232 made on the 2nd of Rubbee-ool Awul following, by another assignment on the same revenues. A Mukhlasee Yad, dated on the 24th of Saban, in A. D. 1781-2, also records the fact that in that year Mahadajee Bullal had to pay to Government Rs. 115, the amount of one year's salary of the village officers, and of ten per cent. on the Duhuk of Modugay. There is nothing in the Poona Dufter to show *for what reason* the levies here alluded to were made.

19. Hitherto, that is to say until A. D. 1784-5, the Poona records furnish ample evidence regarding the history of Modugay; but for eleven years after this period the information they afford regarding it is comparatively scanty: all that can be learned being that in A. D. 1789-90, 1792-3, and 1795-6, the village was excluded as before from the Putwurdhun's Surinjam; but whether Mahadajee Bullal Bapput's enjoyment of it during this period was uninterrupted, or the contrary, does not appear.

20. A list drawn up in A. D. 1696-7 of the Doomalla holdings excluded from the Putwurdhun's Surinjam, in mentioning Modugay as one of these, incidentally refers to the village as "with Mahadajee Bullal": and the Hoozoor Roz Kheerd for the 7th of Zilhej in the same year contains the registry of a bill drawn at the Hoozoor on Mahadajee Bullal for Rs. 1,015 on account of the village of Modugay, held by him as Surinjam, and of the Huk Roosoom due by him.

21. The Hoozoor Roz Kheerd of the 6th of Jumad-ool Akhir in the next year, A. D. 1797-8, contains the registry of a similar bill for Rs. 1,000, drawn on that day on the same Mahadajee Bullal, "on account of last year's revenue of Modugay, which it had been agreed should be received by the Sirkar." There is nothing to show for what reason Mahadaje Bullal was obliged to pay the year's revenue, &c. alluded to in this and the last paragraph.

22. A memorandum of the Putwurdhun's Surinjam in A. D. 1800-1 shows only that Modugay was not included in it; but contains no evidence as to who held the village; and there are no records of any kind forthcoming for the two following years, A. D. 1801-2 and 1802-3.

23. On the 9th of Rubbee-ool Awul in A. D. 1803-4 the Paishwa issued orders for resuming the village of Modugay, in consequence of the death of Mahadajee Bullal, by whom it had been held in Surinjam, and for making it over to be managed as a khalsat village by one Dhondo Narayen. The Sunnuds which the Paishwa's registry shows to have been issued on this occasion were as follows:—

One to Dhondo Narayen, the newly appointed Comavisdar, enjoining him to perform the duties of his office with vigilance and fidelity, according to the Azmas to be delivered to him.

One to the Carkoon of the deceased Mahadajee Bullal, ordering him to make over the village to Dhondo Narayen, and to make good to him any part of the current year's revenue which he (the Carkoon) might have already collected.

One to the hereditary district officers of purgunna Shahapoor, enjoining them to submit to Dhondo Narayen's management of it.

One to the Mokuddums of Modugay, to the same effect.

One to Chintamun Row Pandoorung, Putwurdhun, the Surinjamdar of purgunna Shahapoor, informing him that the management of Modugay was to be continued with Dhondo Narayen, the new Government Comavisdar.

24. There are no accounts forthcoming to show how Modugay was managed for some time after the issue of the above orders; but it appears to have fallen, not long after, into the hands of the Surinjamdar; for a document has been found in the Poona Dufter, drawn up in the year A. D. 1806-7, purporting to be a "list of the Doomalla villages, Nemnooks, &c. formerly held under the Sirkar by various persons, and reserved from being included in the Putwurdhun's Surinjam, which holdings, however, the Merijkur Putwurdhun has of late been appropriating"; and in this list is entered "the village of Modugay, which was formerly with Mahadajee Bullal." It would thus appear that, after the Paishwa issued the orders mentioned in the last paragraph, the Surinjamdar got possession of the village, instead of allowing the management of it to continue under the Government Comavisdar.

25. A paper from the Poona Dufter, dated in A. D. 1808-9, headed "Yad of Surinjamee Sirdars, Silledars, Carkoons, &c. holding Surinjam mahals and villages, and Inam villages and lands," mentions Mahadajee Bullal as holding mouza Modugay; but it would seem that this Yad must be a memorandum drawn up from some accounts older than A. D. 1803-4, for the Paishwa's orders for the resumption of Modugay in that year, recorded in the 23rd paragraph, mention that Mahadajee Bullal was *then dead.*

26. The Surinjam Putt, or general account of all Surinjams under the Paishwa's Government, drawn up for A. D. 1809-10 mentions, in that part of it which relates to villages, &c. formerly alienated, but since resumed by Government, and given to be managed by Comavisdars, that mouza Modugay, in purgunna Shahapoor, was "in Comavis with Dhondo Narayen Mundlik," who, as will be seen by a reference to the 23rd paragraph, was the Comavisdar appointed for the management of the village in A. D. 1803-4, when it was resumed by the Paishwa, after the death of Mahadajee Bullal Bapput.

27. The record quoted in the last paragraph is the latest of the late Government, referring to the condition of Modugay, which has been found in the Poona Dufter, with the exception of one loose memorandum relating to the year A. D. 1816-7, in which that village is said to be held by "Ballajee Mahadeo, with whom it had continued from the commencement of the Sirkar's rule." This memorandum does not belong to any of the classified Hoozoor records, such as the Ghurnee, Surinjam, Putt, &c., but is one of a number of loose papers found in the Poona Dufter by Mr. Goldsmid; and there is nothing to show on what authority the statement it contains was made, a statement which, it will be observed, is at variance with the evidence afforded by the classified State Dufters already quoted.

28. In closing this division of the present report, the Commission thinks it unnecessary to go more at length into a recapitulation of the evidence afforded by the Paishwa's Dufter regarding the history of Modugay, than to call the attention of Government to the four main points clearly proved, viz: that the village was assigned by the Paishwa

in A. D. 1758, to Ballajee Dewurow Bapput Vakeel, at the assumed valuation of nine hundred and eighteen Rupees and ten (or as some accounts have it eight) annas, *as service wages*; that it was continued at the same valuation to his son, Mahadajee Bullal, also *as service wages*; that on his death, formal orders for its final resumption were issued by the Paishwa himself, and that no permission was ever afterwards given by the Sirkar for any of Bapput's family to again hold the village on any terms, but, on the contrary it was regarded till the last, in the Hoozoor accounts, as a Government khalsat village.

29. But when the present Government was introduced, on the occupation of this province by Sir T. Munro, in A. D. 1817, the family of the deceased Mahadajee Bullal Bapput had again got possession of Modugay, and, as they were by this time in the service of the Surinjamdar Chintamun Row, instead of, as originally, in that of the Paishwa, there can be little doubt that it was by the countenance and aid of the Surinjamdar, whose adherents they had now become, that they had been able to recover, during the disturbances which attended the close of the last Paishwa's reign, the village which that Paishwa had formally resumed from them in A. D. 1803-4. In corroboration of this supposition, it may be as well here to state that the Poona records contain clear evidence of many similar instances in which this very Surinjamdar unauthorizedly appropriated, either to himself or his dependants, holdings which had always been explicitly excluded from his Surinjam; and, by his great local influence, defeated his sovereign the Paishwa's disposition of them.

30. A search has been made in the Dufters of the Dharwar and Belgaum Collectorates for the record of any investigation into Bapput's title to Modugay, which the Commission supposed might have taken place between the establishment of the present Government and the institution of the inquiry which has led to this report; but no trace of any such investigation having taken place is to be discovered.

31. The only order, in fact, on record relating to Modugay is a provisional one issued by Mr. Thackeray, the Acting Principal Collector of Dharwar, to the Mamlutdar of talooka Padshapoor, on the 26th of August A. D. 1820, the purport of which was as follows:—

> "On its being represented that the village called Modugay, in your talooka, has been held for a long period as Inam by Sudasew Punt Bapput, and that it should still be so continued, this order is issued that you are to uninterruptedly continue the said Inam village, without causing molestation of any kind, in the same manner as it was continued up to the close of the late Government."

32. The Commission cannot regard this as a decision on Bapput's title, or as anything more than a provisional order, made *at his representation* to prevent the interference of the Mamlutdar with his enjoyment, so long as there was no reason for believing his title invalid; and it was evidently issued with the intention of guarding against its being used to give Bapput a stronger pretension to hold the village than he might have had under the Paishwa's Government.

33. The first investigation, in fact, which has taken place into the validity of Bapput's title, since the introduction of the present Government, is that instituted by the Collector of Belgaum in 1845, and now completed by this Commission; and it only remains to submit to Government the evidence received during this investigation, in addition to that forthcoming from the Poona Dufter, which has already been detailed from the 4th to the 28th paragraph.

34. During the present proceedings all the hereditary and other district and village officers, who might probably have in their possession accounts relating to Modugay, have been examined. These persons are the following:—

1. Buheerjee bin Byajee, Desaee of tuppa Sambrey.
2. Mahadeo Dewjee, Deshpande of Azumnuggur.

3. Kuljee Oomajee, Sur Nargowra of Shahapoor.
4. Ramchunder Sewajee, Nargowra of Azumnuggur.
5. Gopal Dinkur, Kango of Azumnuggur.
6. Bussana and Gowdapa, Patells of mouza Modugay.
7. Shiddo Goorunath, Coolkurnee of mouza Modugay.

35. The first six of these Wuttundars, &c. deny having any records to throw light on the history of Modugay; and their evidence, which is altogether vague and uncertain, is not in favour of Bapput's title. The Commission will here shortly record the substance of their examinations, reserving that of the Coolkurnee, Shiddo Goorunath, for more particular notice.

36. Substance of the deposition of Buheerjee bin Byajee Ingole, aged 65 years, caste Mahratta, occupation Wuttundar-Desaee of tuppa Sambrey, inhabitant of Busree Kutta, purgunna Shahapoor:—

Question.

Who held mouza Modugay during the late Government, and who now manages it, and for what reason? Answer this in detail.

Answer.

Mouza Modugay has for a long time been managed by Bapput; but I do not know if it is Inam, neither have I any papers or other evidence about it in my possession. My father used to say that the village was not Inam; and I do not know on what tenure Bapput manages it.

37. Substance of the deposition of Mahadeo Dewjee, aged 50 years, caste Deshust Brahman, occupation Deshpande, inhabitant of Shahapoor, given on solemn affirmation before the Mamlutdar of Padshapoor; and continued before the Dufterdar of Belgaum:—

Question.

Is mouza Modugay within your jurisdiction as Deshpande?

Answer.

It is.

Question.

Is the above village Inam, or what? If it be Inam, to whom, by whom, and on what account was it given?

Answer.

The above village is Inam, but I do not know to whom, by whom, or on what account it was given. From the time General Munro came (to Belgaum) it has been considered as the Inam of Bapoojee Bulwunt Bapput.*

Question.

In how many other villages have you jurisdiction as Deshpande?

Answer.

I have jurisdiction as Deshpande in the four villages of Kooduar, Rajgoolee, Chundgur, and Dasoor, as well as in Modugay.

* Bapoojee Bulwunt is the son of Mahadajee Bullal's eldest son; the claimant is the son of the same person's fourth son. See the genealogical tree annexed to claimant's 15th answer, in the fifteenth paragraph. The village is entered in the Government accounts in the name of the claimant, who, from being the Vakeel of Chintamun Row Putwurdhun, is looked on as the person of most consideration in the family, though not of its eldest branch.

Question.

Have you ever given to the Sirkar depositions regarding the Inams of the above four villages, Modugay excepted, or not? Should you have done so, did you in them mention the circumstances connected with the Paishwa's rule, or those of the subsequent rule of the present Government?

Answer.

I did give depositions to the Sirkar regarding the above four villages; and what I knew of the Paishwa's rule, I stated in them.

Question.

Have you any accounts of the time of the late Government referring to the khalsat and Inam villages belonging to your jurisdiction as Deshpande, or not? If you have any, produce them.

Answer.

I will state,* after searching in my house, whether I have any or not.

Question.

How many years have passed since your father died? During the Paishwa's Government, who had the management (of your Wuttun)?

Answer.

My father died forty years ago. I had not the management during the Paishwa's rule: my Goomashta, Nursoo Bhanjee, then had the management; it is about four or five years since he died.

Question.

In depositions made by you regarding several Doomalla villages, you related circumstances connected with the Paishwa's rule; state on what authority you did so?

Answer.

What I stated was on general information, given me by my uncle, Buswunt Rowjee, and from what my Goomashtas, Nurso Bhanjee and Krishnapa, used to tell me. It is about fifteen years since Krishnapa died.

Question.

When the above persons made you acquainted with the circumstances connected with the several villages, what did they state regarding Modugay?

Answer.

What they related to me about the village, and what I myself knew, I have already written. They used to say that the management of Modugay had for a long time been without Bapput; but they did not make me acquainted with any particulars regarding the history of that village during the time of the Paishwa's rule.

Question.

You have stated that it used to be said that the management of Modugay had for a long time been with Bapput; if so, of what nature was that management? Was it during the late Government managed as khalsat, or on lease, or as Inam?

* This witness continued to give evasive answers about his accounts through several examinations, till at last he died, without producing any.

Answer.

I do not know whether it was managed as khalsat or Inam, or on lease, during the former Government, or in what manner it was managed. My papers and accounts have been mislaid: I will state on seeing them.

Question.

Did you at any former period give any deposition to the Sirkar regarding the Inam, or not? If you did give such a deposition, state what you wrote.

Answer.

I did formerly on one occasion give a deposition to the Sirkar, in which I wrote that as my papers had been mislaid, I did not recollect any circumstances except that in Fuslee 1227 (A. D. 1817-8) General Munro gave a Sunnud for the Inam, on seeing which the village was entered in the Dehjara as Inam. I cannot remember how long it is since I made this statement.

Question.

By whom was Modugay formerly held; who was in possession of it at the introduction of the present Government: who holds it at present; and what relationship exists between those holders?

Answer.

From the commencement of the present Government up to the present day, as well as during the late Government, the village has been held by Bapoojee Bulwunt. It has been with the Bapputs for four descents, and about seventy-five years. It was first held by Bapoojee Bulwunt's great grandfather, Balajee Punt; then by his grandfather, Mahadajee Punt; afterwards it was continued to his son, the present Bapoojee Bulwunt's father; and it is now held by Bapoojee Bulwunt.

Question.

Was the village ever during the present Government, or at any former period, under attachment or not?

Answer.

It has never been under attachment during the present Government, and I do not know if it ever was under attachment during the late one.

Question.

Is it usual to pay to Government any Jooree, &c. on account of the village?

Answer.

It is not usual to pay anything to Government; and nothing is paid.

Given this 5th June 1845, *at Belgaum.*

Signed by MAHADEO DEWJEE, Deshpande,
Purgunna Azumnuggur.

And authenticated by the countersignature of the Mamlutdar of Padshapoor.

Continued before the Dufterdar on the 10th June 1845.

Question.

You stated before the Mamlutdar that you would bring the papers relating to the Inam, and then give an answer: produce what papers you have. You have also stated that from the time of the late Government, and for seventy-five years, the village

(Modugay) has continued with the Bapputs; state in detail on what account it was continued during the late Government; and how it has continued since the establishment of the present Government.

Answer.

Whatever papers there may be regarding Inams I will search for, and produce; I do not know on what account Modugay was continued with Bapput during the former Government. After the introduction of the present Government, Bapput obtained a Sunnud from General Munro, and then began to say that the village had become his Inam. From this I consider it to be Inam; but the above Saheb's Sunnud was not shown to me, nor was a copy given to me; neither am I acquainted with its contents.

Dated 10*th June* 1845, *Fuslee* 1255.

Signed by MAHADEO DEWJEE, Deshpande,
Purgunna Azumnuggur.

Examination continued on the 4*th August* 1845.

Question.

Produce what papers you have up to this day found regarding the management of Modugay under the former Government.

Answer.

I have searched for papers relating to the above subject, but have not found any; and I have no further answer to give on this subject.

Given this 4*th August* 1845.

Signed by MAHADEO DEWJEE, Deshpande.

Attested by two witnesses, and authenticated by the countersignature of the Belgaum Dufterdar, as given before him on the above date.

38. Substance of the deposition of Kuljee Oomajee Jadhow, aged 30 years, caste Mahratta, occupation Wuttundar, Sur Nargowra of purgunna Shahapoor, inhabitant of Balkoondurgee: —

Question.

Since what period, and on what account, has mouza Modugay been held by Bapput? Have you accounts to show what villages situated within the above purgunna are Inam?

Answer.

Mouza Modugay is managed by Bapput, but whether it is continued as Inam, or how, I do not know; and I have not any accounts or other documentary evidence in my possession. I only know that Bapput is said to be a "Mokhassee," but why he is so called, I do not know.

39. Substance of the deposition of Ramchunder Sewajee Nargowra, aged 37 years, caste Brahman, occupation hereditary service, inhabitant of Ambawarree, purgunna Shahapoor:—

Question.

Who has the management of the Nargowrkee Wuttun? What are the names of the Inam villages in the Shahapoor mahal? State what accounts you have relating to them.

Answer.

The management of the Nargowrkee Wuttun is with me. The Inam villages of

the Shahapoor purgunna are Kurdeegoodee, Heere, Balkoondurgee, Mareehal, Konuskoodee, and Sooleebhawee, &c. I have no papers or accounts in my possession.

Question.

How was mouza Modugay managed formerly during the Paishwa's rule ? With whom is it now, and why ? Is the village held as Inam, or how ?

Answer.

I do not know who held mouza Modugay during the late Government ; it is now managed by Bapput ; but my father used to say that it was not an Inam village ; except this, I know nothing.

40. Substance of the deposition of Gopal Dinkur, Kango, aged 37 years, caste Brahman, occupation Kango Zumeendar of purgunna Azumnuggur, inhabitant of Angole Kuryat Yeloor :—

Question.

On what account is mouza Modugay held by Bapput ? State whether you have any accounts of the Inam villages in the above purgunna.

Answer.

Mouza Modugay is managed by Bapput, but whether it is Inam or not, I do not know. From of old an Inam is continued to me as Kango Zumeendar ; but I have now no accounts of the purgunna, nor do I perform any service ; therefore no accounts are in my possession ; neither do I know if the village is Inam.

41. Substance of the deposition of Bussana Wullud Chenbussapa Sutyungowda, aged 55 years, caste Lingaet, occupation Patelkee, and Gowdapa Wullud Mullapa Patell, aged 45 years, caste Lingaet, occupation Patelkee, of the village of Modugay, talook Padshapoor, given before the Mamlutdar of the said talooka, and continued before the Belgaum Dufterdar :—

An order dated 24th April 1845 having been received, desiring that a statement might be sent in regarding the continuance of the above village as Inam, we have been directed by Ragho Govind, Mamlutdar, to state whether the village is held by any one as Inam or not; and should it be held as Inam, to say to whom it was formerly given, and during whose rule ; what papers, &c. there are relating it ; whether any dues were paid to Government from its revenue, or it was continued as Surv-Inam ; who now manages the village; what relationship there is between the present manager and the original grantee ; and should it ever have been attached and released, how it was so. Upon which we now state that the village is at present held as Inam by Mahadajee Punt Bapput ; we do not know who gave the Inam, nor anything of any papers connected with it; nor whether any dues are payable to Government from the village ; nor whether it is Surv-Inam ; nor what relationship there is between the original grantee and the present holder. We know from our own knowledge that for thirty or thirty-five years the village has been uninterruptedly enjoyed by Bulwuntrow Bapput, his son Bapoo, and others. About four years previous to the introduction of the present Government, Antajee Eshwunt, Belgaumkur, attached the village, and it was released in four or five months. We do not know whether the attachment was made on the part of the Sirkar or not, nor do we know how it was released.

Given this 31*st May* 1845, *Fuslee* 1255.

The mark of Bussana Wullud Chenbussapa.

Do. of Gowdapa Wullud Mullapa.

Followed by the attestation of two witnesses.

Question.

You have stated in the above answer that you know nothing whatever; state whether you have the management of the collections, &c., or not; or who has.

Answer.

Owing to a dispute with our relations, the management of the collections, &c. has not been with us for a long time; therefore we are not acquainted with anything. For about forty-five years we have not had the management.

Dated as above.

The mark of BUSSANA WULLUD CHENBUSSAPA.

Do. of GOWDAPA WULLUD MULLAPA.

Attested by two witnesses, and authenticated by the countersignature of the Padshapoor Mamlutdar.

Continued before the Dufterdar on the 10th June 1846.

Question.

You have stated above that for the last forty-five years the Patelkee management (of Modugay) has not been with you; who now has the Patelkee management; and do you always reside in that village, or how?

Answer.

The Patelkee is not held by any of our relatives: our Wuttuns, Babs, &c. have been attached by Bapput, who has the management; we reside at Modugay, and occasionally go anywhere to obtain a livelihood.

Question.

Is the above village held by Bapput as Inam, or how; and do you recollect whether the village was ever under attachment during the late Government?

Answer.

We do not know on what tenure the village is managed by Bapput; our ancestors never told us that the village was Inam. About thirty or thirty-two years ago, previous to the establishment of the present Government, a Comavisdar came, and managed the collections, &c. It was said he came in consequence of an attachment; we do not know how the village was afterwards released.

Given this 10th June 1845.

The mark of BUSSANA WULLUD CHENBUSSAPA.

Do. of GOWDAPA WULLUD MULLAPA.

Attested by two witnesses, and authenticated by the countersignature of the Belgaum Dufterdar, as given before him on the above date.

42. The six depositions above recorded contain little but hearsay evidence, and are not of importance. They all assert what is well known, viz. that the village has for a considerable period been held as Inam by the Bapput family; but almost all appear to give as little information as possible, and affect a degree of ignorance respecting Bapput's title and the previous history of Modugay, which can scarcely be accounted for in persons of their condition, unless actuated by fear or favour.

43. The statement of the Coolkurnee of the village Shiddo Goorunath is of a very different character from those yet recorded, being very full, and made with the pretension of complete acquaintance with the past history of Modugay. This statement, however, where not supported by corroborative evidence of undoubted credibility, must be received with *extreme* caution; as the Coolkurnee is evidently actuated by feelings

of the utmost hostility *against* the claimant. The following assertions regarding Bapput's connection with the village of Modugay are made by Shiddo Goorunath :—

1*st*. That the village was never granted as Inam to Bapput's family ; but that in A. D. 1758-9 the Paishwa gave an order for one thousand Rupees to be paid out of the revenues of Modugay to Ballajee Dewurow, Vakeel, for the expense of a palanquin granted to him, which sum was, however, never paid nor entered in any of the village accounts.

2*nd*. That the village was never subsequently entered in any accounts of the Paishwa's time as Inam.

3*rd*. That it was managed as a Government khalsat village under the Beenewala, who was the Paishwa's Mamlutdar of Azumnuggur, and Killedar of the fort of Belgaum.

4*th*. That during the disturbances which took place after the Beenewala's removal, the Surinjamdar of Shahapoor, or his officers, got possession of Modugay, and held it for several years.

5*th*. That it was after this, and then only by the favour and assistance of the Surinjamdar, that Bapput assumed absolutely the management, as owner, of the village.

6*th*. That afterwards, when the Paishwa visited the Carnatic, about three years before the close of his reign, his Sur-Soobhedar took away the management of the village from Bapput, who, however, again contrived, by some unknown means, to recover possession of it.

7*th*. That it is only since the introduction of the present Government that Bapput has begun to call himself an Inamdar, and claim the village as Inam.

44. The Commission will now shortly describe the evidence adduced by the Coolkurnee to bear him out in the above assertions, adding notes where they appear necessary, to explain its credibility or force.

45. In support of the first of his assertions enumerated in para. 43, the Coolkurnee produces a document* which purports to be the copy of a Takeed issued on the 11th of Jumad-ool Awul in Soorsun Teesa Khumsaeen Meia and Alif, A. D. 1758-9, by the Paishwa Ballajee Bajeerow, to the village officers of Modugay, to the following effect :—

"A palanquin has been given at the Hoozoor to Ballajee Dewurow, Vakeel of Prant Bednoor, and a thousand Rupees out of the revenue of your village have been given to him for its Surinjam. You are to pay him this sum, and go on entering it in your accounts. Observe this."

46. In corroboration of the second assertion, the Coolkurnee generally refers to all genuine accounts in which Modugay may be mentioned.†

47. In proof of the third assertion, namely, that during the Beenewala's management of the fort of Belgaum, &c. he managed Modugay as a Government khalsat village, Shiddo Goorunath produces thirty-two documents, as follows :—

1*st*, of A. D. 1766-7. A document headed as an account of the collections and balances of mouza Modugay, of tuppa Sambrey, purgunna Azumnuggur; said by the Coolkurnee to be the account between the village and the Paishwa's Mamlutdar, the Beenewala, and, if genuine, as it appears, showing that he

* In the XIX. and XX. questions put by the Commission to the claimant in his examination recorded at para. 55, he is interrogated on the subject of this document, and gives his reasons for considering it false. These reasons are not satisfactory, but at the same time there is nothing to prove the copy genuine; and its purport (even if it be so) was overruled by the arrangement assigning Modugay to Ballajee Dewurow as service wages in the same year, A. D. 1758-9, as shown in para. 6.

† With the exception of two documents, both produced by the claimant himself, viz. the 5th produced with his XIII. answer, at para. 55, and described in note at page 21, and that produced with his XXV. reply, and described in note at page 31, none of the records relating to Modugay, of earlier date than the introduction of the present Government, from *whatever* source procured, refer to that village as Inam.

managed the village as a khalsat one, and that its Jummabundee amounted to Rs. 1,884-8-0.

2*nd*, of A. D. 1767-8. An account of precisely the same nature and authority as the last, showing the Jummabundee at Rs. 1,826-8-0.

3*rd*, of A. D. 1768-9. An account of precisely the same nature and authority as Nos. 1 and 2, showing the Jummabundee at Rs. 1,884-8-0.

4*th*, of A. D. 1771-2. A Yad of the revenue from mouza Modugay, of the same authority as the preceding accounts, and of the same tendency as evidence to show that the village was managed as khalsat; and that its gross Jummabundee was this year fixed at Rs. 1,967-10-0.

5*th*, of A. D. 1776-7. A Takeed said by the Coolkurnee to have been issued by the Beenewala to the village officers of Modugay, regarding collections of revenue to be made, and arrangements to be carried into effect in their villages. If this document was issued by the Beenewala, as it appears to have been, it is corroborative evidence of the assertion that he managed Modugay as khalsat.

6*th*, of A. D. 1777-8. A Yad relating to the huks of the Deshpande in four villages, all of which the Coolkurnee declares were alike under the fort of Belgaum; these villages include Modugay. This document is not in any way authenticated, and, supposing it genuine, is of little or no use as evidence.

7*th*, of A. D. 1778-9. A Yad of the revenue from mouza Modugay, resembling, in its authority and tendency, the 4th document abovementioned, showing the gross Jummabundee of the village at Rs. 1886-8-0.

8*th*, of ditto. An order addressed to the Coolkurnee of Modugay, respecting the adjustment of a balance due by him. This order Shiddo Goorunath asserts was issued by the Beenewala ; and, if so, is corroborative evidence that Modugay was managed by the latter as a khalsat village.

9*th*, of A. D. 1780-1. A Yad of the revenue of mouza Modugay, and village expences, &c., said by the Coolkurnee to be the account of actual management given in by the village accountant to the Beenewala, and, if so, going to prove that the latter managed the village as khalsat, and that its gross revenue in this year amounted to Rs. 1,938-12-0. This paper is not sealed, but is in the same handwriting as others of the same period, which are sealed; and it appears genuine.

10*th*, of A. D. 1781-2. A Yad of mouza Modugay, showing the realization and balance of revenue, of the same authority and tendency as evidence as the first three documents described above. It shows the gross Jummabundee of the village at Rs. 1,969-11-0.

11*th*, of A. D. 1782-3. A Yad of the revenue of mouza Modugay, &c., of the same nature, authority, and tendency as evidence as the 9th document above described, stating the gross Jummabundee of the village at Rs. 2,056-14-0.

12*th*, of A. D. 1783-4. A Yad of mouza Modugay of the same authority and tendency as the 9th document above described, stating the gross Jummabundee of the village at Rs. 2,100-7-0.

13*th*, of A. D. 1784-5. A Yad resembling the last, and of the same tendency as evidence, stating the gross Jummabundee of Modugay at Rs. 2,107-14-0.

14*th*, of A. D. 1785-6. A Takeed addressed to the village officers of Modugay, desiring them to send to the writer ten loads of bones (probably for the manufacture of charcoal). This Takeed is said by Shiddo Goorunath to have been issued by the Beenewala ; and, if so, tends to prove that the management of Modugay was under the fort of Belgaum.

15*th*, of A. D. 1787-8. A Takeed relating to miscellaneous arrangements, of the same nature, authority, and tendency as evidence as the last.

16*th*, of ditto. A Takeed also of the same nature, authority, and tendency as evidence as No. 14.

17*th*, of A. D. 1788-9. A Yad of similar nature, authority, and tendency as evidence as No. 9, stating the gross Jummabundee of Modugay at Rs. 2,115-10-0.

18*th* and 19*th*, of ditto. Two wurats, or drafts on the village officers of Modugay, for payment of several sums of money out of the past and current year's revenue of their village ; said by the Coolkurnee to be issued by the Beenewala, and, if so, affording conclusive evidence that he was managing the village.

20*th*, of A. D. 1789-90. A Takeed relating to the establishment of a snuff-shop in Modugay, of the same nature, authority, and tendency as evidence as No. 14.

21*st*, of ditto. An account of mouza Modugay, of the same nature, authority, and tendency as evidence as No. 1. In this Yad Mahadorow (or Mahadajee) Bullal Bapput is mentioned as the Mokhassee of the village, and there is no payment shown on account of the *Comavisdar*, as in the previous similar accounts already described ; so that it would seem that the Mokhassee had superseded him. There is no doubt, however, if this account be genuine and authentic, that the village was in this year managed as khalsat under an officer distinct from, and superior to, the Mokhassee. The gross Jummabundee of the village is stated at Rs. 1,952-0-0.

22*nd*, of A. D. 1790-1. A Yad of the same nature, authority, and tendency in evidence as No. 9, showing the gross Jummabundee of Modugay at Rs. 2,135-8-0.

23*rd*, of A. D. 1791-2. A Yad, also of the same nature, authority, and tendency in evidence as No. 9, showing the Jummabundee of the village at Rs. 2,137-8-0.

24*th*, of ditto. A Takeed, of the same nature, authority, and tendency in evidence as Nos. 14 and 15.

25*th*, of A. D. 1792-3. A Yad, of the same nature, authority, and tendency in evidence as No. 9, showing the gross Jummabundee of Modugay at Rs. 2,151-4-0.

26*th*, of A. D. 1793-4. A Yad, also of the same nature, authority, and tendency in evidence as No. 9, showing the gross Jummabundee of the village for this year at Rs. 1,785-12-0, the net Jummabundee being Rs. 1,619-0-0.

27*th*, of ditto. An account of the revenue collections and balances of mouza Modugay, of the same nature, authority, and tendency in evidence as No. 1. In this the village is said to be managed as Mokhassaee under Mahadorow Bullal Bapput, as in No. 22. The net Jummabundee is shown at Rs. 1,619-0-0, agreeing with the last account, No. 26.

28*th*, of ditto. A Yad forming a summary of the last described account, and showing the authorized disbursements, &c. This account mentions Mahadorow Bullal as "Mokhassee," and is of the same tendency in evidence as No. 21.

29*th*, of A. D. 1794-5. A village Jhara of mouza Modugay. This document is of little or no use as evidence, if admitted to be genuine. The Coolkurnee states that it shows that Modugay was not Inam, as the heading does not allude to it as an Inam village, as is usual in such cases.

30*th*, of ditto. An account of revenue collections and balances in mouza Modugay, resembling No. 27, showing the net Jummabundee of Modugay at Rs. 1,601-6-0.

31*st*, of ditto. A Yad of revenue disbursements, &c. resembling No. 28, showing the gross Jummabundee of Modugay at Rs. 1,845-13-0, and agreeing as to the net Jummabundee with the last recorded account.

32*nd*, of A. D. 1794-5. A Yad of the same nature, authority, and tendency in evidence as No. 9, agreeing with the two last accounts.

48. In proof of his fourth assertion, enumerated in the 43rd paragraph, the Coolkurnee produces twelve documents,* nine of which are dated in A. D. 1805-6 ; and the other three, referring to the same persons, and being in the same handwriting, &c., though not dated, appear to belong to the same period. They are as follows :—

1*st*. A Takeed purporting to be issued by Moro Dhondeo, Soobhedar of the purgunna of Shahapoor, in the Putwurdhun's Surinjam, to the Mokuddums of mouza Modugay, informing them that he had sent one Geermajee Rungo to assume the management of their village during the current year; and ordering them to pay him the revenues without obstruction.

2*nd*. A Takeed purporting to be issued by the same Soobhedar to the same Mokuddums, ordering them to pay a certain Jukatdar's salary of Rs. 20, out of the Hukdarree revenue due by their village for the current year.

3*rd*. A Takeed purporting to be issued by the same Soobhedar to the same Mokuddums, ordering them to pay for some paper, the sum of Rs. 43-8-0, out of the same revenue.

4*th*. A Takeed purporting to be issued by the same Soobhedar to the same Mokuddums, ordering them to pay Rs. 45 on account of the salary of one Ramana Naik, out of the current year's revenue due from their village.

5*th*. A Takeed purporting to be issued by the same Soobhedar to the same Mokuddums, ordering them to pay Rs. 100 on account of the salary of one Veesajee Tummajee, out of the current year's revenue of their village.

6*th*. A Takeed purporting to be issued by the same Soobhedar to the same Mokuddums, ordering them to pay Rs. 50 on account of the salary of Ramana Naik, on account of the instalment of one-fourth of the revenue of their village, then due.

7*th*. An order purporting to be issued by the same Soobhedar to Ballajee Geermajee (apparently the son of Geermajee Rungo, appointed manager of Modugay in the 1st Takeed above recorded), desiring him to send immediately the sum of Rs. 50 out of the quarter instalment of revenue now due from Modugay.

8*th*. A receipt purporting to be issued by the same Soobhedar to the same Ballajee Geermajee, for Rs. 50 of the quarter instalment of revenue due from mouza Modugay, sent in by him to the Shahapoor Treasury, probably the money alluded to in the Takeed No. 7.

9*th*. An order purporting to be issued by the same Soobhedar to the same Ballajee Geermajee, desiring him to pay to one " Rajgoleekur" the sum of Rs. 12, deducting it from the instalment of revenue due from Modugay.

10*th*. An order purporting to be issued by Trimbuck Dhondeo, apparently a brother of the Soobhedar Moro Dhondeo, above mentioned, desiring him to pay to one Kulsee Naik, of Gokak, the sum of Rs. 55, on account of the current year's revenue due from Modugay.

11*th*. A receipt purporting to be issued by the same Trimbuck Dhondeo to the same Ballajee Geermajee, acknowledging the receipt of Rs. 100, sent in on account of the current year's revenue of Modugay ; but stating that one Rupee was a counterfeit, and therefore returned without being credited, 99 Rupees being brought to account.

* The whole of these documents appear genuine. They agree in form and appearance with the 11th document produced by the claimant, as described in the XIII. answer of his examination, recorded below, in the 55th paragraph, and seem to afford good evidence that when they were written Modugay was entirely under the management of Chintamun Row Putwurdhan's Soobhedar of Shahapoor.

12*th.* An order purporting to be addressed by the same Trimbuck Dhondeo to the same Ballajee Geermajee, desiring him to bring and pay in the sum of Rs. 200 due by him on account of the current year's revenue of Modugay.

49. Of the 5th assertion recorded in the 43rd paragraph, the Coolkurnee offers no proof.*

50. Nor does he produce any evidence in support of the 6th of those assertions.†

51. With respect to the remaining assertion, the 7th, the Coolkurnee refers generally (but without exhibiting any particular proof) to the accounts already described, and to others not sufficiently important to enumerate here, in which Modugay is mentioned, but without being alluded to as an *Inam*‡ village.

52. Shiddo Gooruuath's testimony, above described, from the 43rd to the 51st paragraph, concludes the evidence of the persons mentioned in the 34th paragraph; who, from their situations as Wuttundars, &c., might be reasonably looked to for information and records relating to the history of Modugay. But the Commission has obtained from another quarter also some accounts which relate to the village in question. The Collector of Belgaum, in the course of a search made by him, at the request of his Commission, for records relating to the former history of Munolee and other districts, obtained from a Sahookar (usually known by the name of Nana Keerluskur), who on several occasions in the Paishwa's time held the Mamlut of various mahals, a number of accounts of the Beenewala's administration of Belgaum, &c., of which the following relate to Modugay:—

1*st.* An account of the sums paid into the Beenewala's Treasury in the fort of Belgaum between the 9th of Ramzan and 30th of Rubbee-ool Awul in A. D. 1789-90, in which Rs. 1,620 are credited as received from mouza Modugay on account of that and the preceding year, *i. e.* on account of A. D. 1788-9 and 1789-90.

2*nd.* A memorandum of sums to be remitted to Poona by the Beenewala on his own account, in A. D. 1793-4 and 1794-5. One of the paragraphs in the part of this document relating to 1793-4 is as follows:—

"Of the collections which may have been made from mouza Modugay in the year Sulas (A. D. 1792-3) and the present year (A. D. 1793-4), Mahadajee Bullal has received Rs. 600; the remainder is to be credited."

And in that part which relates to the remittances to be made in A. D. 1794-5, "Modugay" is entered without any reservation, as if all that might be collected from it was to be brought to account.

3*rd.* A memorandum of the Jummabundee of mouza Modugay for A. D. 1794-5, showing the total revenue to have been fixed at Rs. 1,607-14-0.

4*th.* A letter dated in A. D. 1794-5, apparently addressed by the Beenewala to his manager at Belgaum, desiring him to send a detailed report of the collections made from Modugay in A. D. 1792-3, 1793-4, and 1794-5, and regarding other matters unconnected with that village.

5*th.* A letter dated in A. D. 1795-6, purporting to be addressed by the Beenewala to the same manager, mentioning, among other matters, that the accounts of Modugay for the previous three years had not yet been sent, and desiring that they might be forwarded in detail.

* The Commission had already come to a conclusion, agreeing with the Coolkurnee's assertion as explained in paragraph 29.

† The claimant himself admits the resumption of A. D. 1814-15, in the X. and XXVI. answers of his examination, recorded in paragraph 55; and it is also mentioned by several witnesses.

‡ It will be seen that, of all the documents produced by even the claimant *himself*, only one of earlier date than the introduction of the present Government refers to Modugay as Inam. Not one of the Government records does so, nor any of the accounts produced by the witnesses examined throughout the case.

6th. A similar letter, apparently written later in the year A. D. 1795-6, by the Beenewala to the same manager, reprimanding him for not having sent the accounts of Modugay for A. D. 1794-5, and stating that he (the Beenewala) had suffered a loss of more than Rs. 400 in consequence, as he had before the accounts were obtained paid Rs. 2,000 on account of the revenue of Modugay for A. D. 1794-5, whereas it now appeared from the accounts that the Jummabundee had amounted to little more than Rs. 1,500.

53. It will be observed that these documents, as far as they go, agree with the account enumerated in the 47th paragraph as produced by Shiddo Goorunath, and, being procured from a disinterested person, are strong evidence of their genuineness. Regarding the Coolkurnee's assertion deduced from these accounts, that Modugay was managed by the Beenewala as a khalsat village, the Beenewala himself has been examined by the Commission (his evidence on other matters having been received at the claimant's request), and it is therefore necessary to defer coming to any conclusion prejudicial to Bapput on this point, until the Beenewala's explanation shall have been considered.

54. The Commission will now proceed to record the statements made by the claimant, Mahadajee Sudasew Bapput, himself, and those of the witnesses appealed to by him in support of his title.

55. The following is the purport of the claimant's examination by the Commission. Statement made before the Inam Commission by Mahadajee Punt oorf Nago Punt bin Sudasew Punt bin Mahadajee Punt Bapput, regarding mouza Modugay, in talook Padshapoor, held by him as Inam :—

Question I.

State your name, and the names of your father and grandfather. What are your caste, occupation, and age ?

Answer I.

My name is Mahadajee Punt oorf Nago Punt ; my father's name was Sudasew Punt, and my grandfather's name was Mahadajee Punt Bapput ; my age is about 43 years.

Question II.

Where were you born ; where is your original family residence ; and where do you now reside ?

Answer II.

I was born at Belgaum, which is also my original family residence ; but at present I reside at mouza Modugay.

Question III.

How do you hold mouza Modugay ?

Answer III.

I hold mouza Modugay as Surv-Inam.

Question IV.

By whom, and at what period, was the village first so granted ?

Answer IV.

The village was first granted by Ballajee Bajeerow oorf Nana Saheb, Paishwa, in Soorsun Teesa Khumsaeen Meia and Alif (A. D. 1758-9), eighty-seven years ago.

Question V.

For what service was the village granted; and is that service still performed or not?

Answer V.

The village was granted for the support of the family, and not for the performance of any service.

Question VI.

By which of your family was the village first acquired?

Answer VI.

The village was originally acquired by my great grandfather, Ballajee Dewurow.

Question VII.

In whose possession was the village on the last day of the existence of the Paishwa's Government?

Answer VII.

On the last day of the existence of the late Government the village was in the hands of my uncles and father.

Question VIII.

Through how many years and descents had the village been continued, from the date of its grant until the last day of the Paishwa's Government?

Answer VIII.

From the time of its being first acquired, up to the last day of the existence of the late Government, the village had passed through two descents, and about 60 years.

Question IX.

How did *you* come into possession of the village; and at what period?

Answer IX.

On the death of my father I succeeded to the village, by right of inheritance, about sixteen years ago.

Question X.

Was there any interruption of the enjoyment of the village by your family, previous to your succeeding to it? If so, state why, and on what occasion such interruption took place, of what nature it was, and when and for what reason it was removed.

Answer X.

Before the village came into my possession, Bajeerow Saheb Paishwa, in the year Khumus Ashur Meiatain and Alif, Fuslee 1224 (A. D. 1814-15), came to Belgaum, after visiting the Karteek Swamee, and was accompanied by Trimbuckjee Dengle, who, on being falsely informed by Venkajee Eshwunt's brother, Antajee Eshwunt, Zukatdar* at Belgaum, that there were no Sunnuds for the village, gave orders under which the above Antajee Eshwunt sent a Carkoon to attach it. Afterwards my

* Antajee Eshwunt was a Zukatdar, or farmer of customs, under the *present* Government, but in A. D. 1814-5, the year to which the claimant's X. answer refers, was *Mamlutdar* of Belgaum. This is noticed by the claimant's last (and additional) witness, whose examination is recorded at paragraph 66.

father, Sudasew Punt, in the same year, went to Trimbuckjee Dengle at Poona, explained the circumstances, and, having showed him the entries in the Behras, procured the release of the village; the village remained in attachment under the Carkoon's management for about five or six months. Except the above mentioned, no other* attachment, &c. ever took place.

Question XI.

Has there been any interruption of enjoyment *since* the village came into your hands; and if so, of what nature, &c?

Answer XI.

From the time the village came into my possession until last year, when the Coolkurnee made a complaint, it had continued without any interruption.

Question XII.

Is any Jooree, Eksalee, or other tax payable to Government on account of the village; and has anything ever been levied or demanded by any officer of Government on account of it?

Answer XII.

No Jooree, Eksalee, or other tax is payable to Government on account of the village; and, up to this day, no Government officer has ever demanded or received money on any such account.

Question XIII.

Produce whatever documents you may have in proof of what you have stated above, and mention any witnesses you may wish to have examined as to your statements.

Answer XIII.

In proof of what has been stated by me, I now produce the following documents:—

1. An original letter† on one sheet, dated 4th Zilhej in Soorsun Suba Khumsaeen Meia and Alif (A. D. 1756-7), written by the Paishwa Ballajee Bajee Row, Prudhan, to my great grandfather, informing him that the appointment of Subness to the garrison of Murdungur, for which he had applied, had been given to some one else. In this letter it is said that "all the employments of Subnees or Phurnees belonged to the master's house," that my grandfather "should certainly be provided for," and that "whatever orders might be necessary should be afterwards issued."

2. The copy of a Taleebund‡ of purgunna Shahapoor managed by Luchmon Konher under Hurree Govind, for Soorsun Ehude Seetaeen Meia and Alif (A. D. 1760-1), in which twenty-one villages of tuppa Sambrey are deducted as alienated; one of these being mouza Modugay, which is noted as being "with Ballajee Dewurow."

* This assertion is contradicted by the claimant himself in his reply to the Commission's XXVI. question, recorded below at para. 64, to say nothing of what has been shown by the Government records already quoted.

† This letter can scarcely be said to be pertinent to the claimant's title to Modugay, but as it contains the promise of *some provision* for his great grandfather, which promise is dated shortly before the latter obtained Modugay, it is admitted as evidence of the Paishwa's intention to provide for Ballajee Dewurow. The letter is apparently genuine; as it contains no sort of evidence except that above described, it has been judged unnecessary to insert a translation, or a more lengthy description of it than is contained in the claimant's reply and this note.

‡ This copy is authenticated. It may be taken as evidence that in A. D. 1760-1 Modugay was held by Ballajee Dewurow, but is by no means favorable to the claimant's assertion that it was held by him as *Inam*. If it had been so, it would have been so entered, and not merely as "*with*" the holder. That it was held in the year to which the account refers, "as service wages," has been shown at para. 9; and this fact accounts for its indefinite entry in the Taleebund now recorded, as merely "*with Ballajee Dewurow.*"

The original of this Taleebund was obtained from the Shahapoor Mamlutdar by the Political Agent, and a copy taken, which copy is now produced.

3. Copy of the Tynat Jabita* issued by the Paishwa to Govind Hurree, in Soorsun Khumus Seetaeen Meia and Alif (A. D. 1764-5), in which the revenues of Modugay and other Doomalla villages are deducted from the total revenue of the Shahapoor purgunna, and the balance of Rs. 43,675-12-0 entered in the Surinjam.

This copy was obtained by me from Chintamunrow Apa Putwurdhun, and is now produced.

4. Copy of the Tynat Jabita† issued by the Paishwa to Wamunrow Govind, in Soorsun Arba Subaeen Meia and Alif (A. D. 1773-4), in which, among the items of the Carnatic Prant, under the head of "Mahal decrease," the revenue of purgunna Shahapoor is inserted, and from it mouza Modugay is deducted, with a note that "this village is held by Mahadajee Bullal, the son of Ballajee Dewurow, *in the same manner as last year.*" It had formerly been *entirely* left out (of the Tynat Jabita) at the valuation assigned to it, and is now regularly deducted as alienated at the same valuation of Rs. 918-8-0, the balance, Rs. 43,675-12-0, being entered as the (Surinjam) revenue of the Shahapoor purgunna. This copy was obtained by me from Chintamunrow Apa Putwurdhun, and is now produced.

5. Copy of a Jabita Rukmala‡ of purgunna Azumnuggur, oorf Belgaum, for Soorsun Subaeen Meia and Alif (A. D. 1769-70), in which, under the head of "deducted as Inam," mouza Modugay, of turuf Sambrey, is entered, and the sum of Rs. 428-1-0 deducted on account of it.

The original of the above was obtained from the Shahapoor Deshpande by the Political Agent, and a copy taken, which copy is now produced.

6. The copy of a Rukum Jhara§ and Deh Jhara of purgunna Azumnuggur. This paper is not dated; in it mouza Modugay, of turuf Sambrey, is noted as "*with Mahadajee Ballajee,*" its revenue being entered at Rs. 428-1-0. This copy was obtained as the above, and is now produced.

7. A letter‖ dated 27th Sawal Soorsun Seet Teesaeen Meia and Alif (A. D. 1795-6) from Shideshwur Muheeputrow Beenewala to my grandfather Mahadajee Bullal,

* The Tynat Jabita, of which this document is a copy, and its value as evidence in this case, have already been described in the 10th paragraph.

† The Tynat Jabita, of which this document purports to be a copy, is described at page 3, in note on the 16th paragraph. In the pretended copy produced by the claimant with his XIII. answer the abbreviation of the original, which stands for "instead of service wages," has been altered to one which means "according to last year." The obvious intention of the falsification was to conceal the fact that the village was not (as asserted by the claimant in his V. answer) granted or continued as a Surv-Inam, but was, in fact, an assignment for service wages. The claimant has been examined at question XVI. in this paragraph, and the person from whom he says he obtained the copy has been examined in question V. of para. 63, regarding the falsification. The result is by no means favorable to a belief in the honesty of either.

‡ This copy is authenticated. The original from which it was made by the Political Agent was produced by a friend and fellow servant (under Chintamunrow) of the claimant.

The deduction of Modugay as Inam in this document appears to be caused by the fact that all the villages mentioned in it are included under only *two* heads, "Sirkaree" and "Inam," and the latter is made to comprise all that the former will not; that is to say, all Doomalla villages, whether held as Inam, Mokhassa, or on any other tenure. There is, in fact, another village named Chundgur, which was held, like Modugay, for service, and which was afterwards resumed by the Sirkar, mentioned in this document under the head of Inam (instead of as service holding, which it undoubtedly was,) merely because the paper was so loosely prepared that there was *no other* head under which to enter it. The Commission is, therefore, of opinion that the document in question does not militate against the more precise evidence regarding the state of Modugay in A. D. 1769-70 afforded by the Paishwa's records alluded to in the 16th paragraph; and, if it were to do so, could not shake the credit to be reposed on them.

§ This copy is useless, or worse than useless, to the claimant as evidence of his title, for reasons the same as those explained at page 20, in the Commission's note on the 2nd document.

‖ The following is the tenor of the claimant's seventh document, which purports to be addressed by the Beenewala to Mahadajee Bullal:—

who was then in possession of the village, regarding the release of the Inams, &c. in Moduday which belonged to the Wuttun of Nurso Annajee as Coolkurnee of the Kuryat.

8. A letter* dated 21st Suffur Soorsun Suba Teesaeen Meia and Alif (A. D. 1796-7), from Gungadhur Row Govind Merejkur to my grandfather, who was then in possession of the village, directing that Kulapa Sur Nargowda might not be interrupted in the enjoyment of his huks and kummuts.

9. A receipt† dated 28th Jumad-ool Awul Soorsun Suba Teesaeen (A. D. 1796-7), granted by Annajee Nursew Deshpande to my uncle, Bulwuntrow Bapput, for cash received on account of the Wuttun Bab of the Coolkurnee of the Kuryat.

10. A letter‡ without date, but endorsed as received on the 19th Suwal Soorsun Suba Teesaeen (A. D. 1796-7) from the Shahapoor Mamlutdar, Dewurow Krishn, to the address of my grandfather, concerning a dispute of the weavers of Modugay. This affords proof of the enjoyment of the village by my family.

11. A note§ dated 8th Zilhej Teesa Meiatain and Alif (A. D. 1808-9) from the

"Nursoo Annajee has holdings in mouza Modugay of tuppa Sambrey as Coolkurnee of the Kuryat. You are to give back to him whatever huks and produce of his Inam fields may have been taken by you from the first. Those you are to make over to his Carkoon, Soobajee Geermajee, who will come to you for the purpose; and you will take his receipt, keep a copy of this letter, and give him the original."

This letter is concluded and dated in the same handwriting as the 4th, 5th, and 6th letters obtained from Nana Keerluskur, described in para. 52, which are thus corroborated.

It is not addressed to Mahadajee Bullal as Inamdar of the village, and therefore, instead of strengthening the claimant's assertion that Modugay was held as Inam, adds to the proof that it was not so held. The purport of the letter, too, shows that Modugay was much more under the direct control of the Paishwa's Comavisdar (the Beenewala) than an Inam village could well be.

* The eighth of the claimant's documents appears to be written by one of the family of the Putwurdhuns (the Surinjamdars of talooka Shahapoor) to Mahadajee Punt Bapput; and is of the following purport:—

"Mouza Modugay, of tuppa Sambrey, in purgunna Shahapoor, *is with you*. Kulapa Jadhow Sur Nargowda has a kummut there, and huks also due to him; yet I am informed that these are withheld on the pretence of a boundary dispute with the village Balkoondurgee Boodrook. This is not right. If there be a boundary dispute, it should be equitably settled; but there is no reason to interfere with huks and wuttun kummuts; wherefore you will pay up all that remains due till this year on account of the kummut and huks, and continue these uninterruptedly for the future. Do not let any more complaints be heard."

This letter also tends to show that Modugay was not held as Inam when it was written. It is not spoken of as an Inam village would have been, but merely as "*with*" Mahadajee Punt, who, moreover, is not styled Inamdar.

† The purport of this receipt is as follows:—

"In the service of Bulwuntrowjee Swamee Annajee Nursew Deshpande of kuryat Ankule, purgunna Padshapoor, makes supplication. The sum of Rs. 83-8-0 was due to me on account of the wuttun of kuryat Coolkurnee from Soorsun Arba Teesaeen till Seet Teesaeen(*i. e.* from A. D. 1793-4 until 1795-6). Of this I formerly received Rs. 50 by the hands of Soobrow, and have now received the balance of Rs. 33-8-0 through Bussuna Jeeruwunee Nisbut, the same. Thus the whole sum of Rs. 83-8-0 due up to the year Seet Teesaeen (A. D. 1795-6) has been paid. I have no further demand on this account."

This receipt apparently relates to the dues about which the 7th document, quoted above, was written; and the Soobrow mentioned in it was probably the Carkoon "Soobajee" named in the other. This document does not allude to Modugay as Inam, and instead of being serviceable as proof of the claimant's title, only strengthens the case against him.

‡ The letter here presented purports to be addressed by Dewurow Krishn simply "to Mahadajee Punt," relating to a dispute between Modugay and Balkoondurgee. It would (as the other documents above quoted) show that Mahadajee Bullal held the management of Modugay; but, like them, it corroborates the inference that he was not holding it as an Inam village, and adds to the evidence against the claimant's asserted title as Inamdar.

§ This note is a Takeed purporting to be issued from the Soobha of Shahapoor to the Mokuddums of mouza Modugay, tuppa Sambrey, purgunna Shahapoor, desiring them to pay to certain persons the sum of Rs. 305 due on account of the Kittoorkur's Puttee for the current year, and to take receipts for the same. This document does not mention Modugay as an Inam village, and would even go to show that it was not in A. D. 1808-9 managed in any way by Bapput, as otherwise the Takeed would have naturally been addressed to *him*, and not to the Mokuddums of the village. The inference, therefore, which is obvious, is that Modugay was then directly under the management of Chintamunrow's (the Surinjamdar's) Mamlutdars of Shahapoor. This is also

Shahapoor Soobha to the Mokudduns of mouza Modugay, containing proof of our enjoyment.

12. A Yad* dated Soorsun Sulas Meiatain and Alif (A. D. 1802-3), being an acknowledgment to Bulwuntrow Mokhassee, of mouza Modugay, turuf Sambrey, of money received and paid into the Treasury. This also shows our enjoyment.

13. A Yad† dated Soorsun Arba Meiatain and Alif (A. D. 1803-4), about Jeewajee Nursew's Comavis of mouza Modugay, turuf Sambrey, purgunna Azumnuggur. In this is proof of our enjoyment.

14. A Yad‡ dated Soorsun Khumus Meiatain and Alif (A. D. 1804-5) of the outstanding balances of mouza Modugay from Soorsun Ehude to Soorsun Arba (A. D. 1800-1 to A. D. 1803-4) affording proof of our enjoyment.

15. A Yad§ dated Soorsun Meiatain and Alif (A. D. 1799-1800) from the Paishwa to Mahadajee Bullal, acknowledging the receipt of Rs. 10 for marriage expenses. This also contains proof of our enjoyment.

16. A Yad‖ dated Soorsun Ehude Meiatain (A. D. 1800-1) of contributions of grass and grain, also proving our enjoyment.

17 to 25. Nine Yads¶ of the cultivated lands of mouza Modugay, viz :—

17. 1 of Soorsun Eesune Meiatain and Alif (A. D. 1801-2).

18. 1 of Soorsun Eesune Ashur (A. D. 1811-2).

19. 1 of Soorsun Ashreen Meiatain and Alif (A. D. 1819-20).

20. 1 of Soorsun Ehude Ashreen Meiatain and Alif (A. D. 1820-21).

the inference to be drawn from the records of A. D. 1805-6 produced by the Coolkurnee, and quoted in the 48th paragraph, which bear the same seal and form as that now produced by the claimant, and admitted by him to be genuine; the only effect, therefore, of the latter, is to tend to corroborate those records, and consequently the Coolkurnee's statement that the village was held by the Surinjamdar of Shahapoor for several years; and a reference to the 24th paragraph will show that the Poona Dufter also affords grounds for the same conclusion, discovering, in addition, that the Surinjamdar's occupation of Modugay (which was, however, unauthorized) followed its resumption by the Paishwa from the claimant's family. Far, therefore, from containing proof of the enjoyment of the village by the claimant's family, the purpose for which he has presented it, this Takeed goes to prove just the contrary.

* This is an unauthenticated scrap of paper headed "Memorandum of Deductions and Receipts, &c. in favour of Bulwuntrow, Mokhassee of Mouza Modugay, in Tuppa Sambrey," in which payments to the amount of Rs. 197-5-6 are shown, but on what account, or to whom this sum was paid, does not appear. It is, at all events, anything but proof of the claimant's asserted title as *Inamdar* of Modugay.

† The 13th document is headed "Memorandum regarding Mouza Modugay, in Tuppa Sambrey, of Purgunna Azumnuggur, in Soorsun Arba Meiatain and Alif, Comavis Jeewajee Nursew." This memorandum is a rough account of the Jummabundee and outlay of the village revenues for A. D. 1803-4, but it does not anywhere allude to the village as Inam, nor show that Bapput had *any* interest in it.

‡ The 14th document is headed "Yad of the Balances in Mouza Modugay from Soorsun Ehude till Soorsun Arba (*e. i.* from A. D. 1800-1 until A. D. 1803-4,) to be examined in Soorsun Khumus A. D. 1804-5." It does not, any more than the last, allude to Modugay as an Inam village, and is equally silent regarding Bapput's interest in it.

§ This 15th document does not bear any seal or other mark of authentication, and there is nothing in the Poona Dufter to show that it was issued by the Paishwa. The following is a translation of it :—

"Memorandum for the year Meiatain and Alif (A. D. 1799-1800).—Mouza Modugay, in tuppa Sambrey, is with Mahadajee Bullal. It has been agreed that a lugn pattee (tax on the occasion of a marriage) of Rs. 100 is to be levied by the Sirkar on that village. This is now to be paid up. Of this purport." Here the document ends; the meaning of the last sentence probably is that "of this purport orders are to be issued." Whoever wrote this Yad does not seem to have regarded Modugay as an Inam village, or he would have mentioned it as such, instead of merely saying that it was "with" Bapput. The Yad therefore does not afford any evidence favourable to Bapput's title, but the contrary.

‖ This document is an unauthenticated scrap of paper headed "A Yad of the amount of Ghasdana Cash received in Soorsun Ehude Meiatain and Alif, A. D. 1800-1." In it Modugay is not mentioned at all, nor is Bapput alluded to. It is therefore wholly useless as evidence, either for or against his title.

¶ Of the nine documents numbered here, from 17 to 25, only the 21st, 22nd, and 24th mention Modugay as an Inam village, and all of these are of a date later than the introduction of the present Government, so that they afford no proof of the claimant's asserted title as an Inamdar; but in general the contrary.

21. 1 of Soorsun Sulas Ashreen Meiatain and Alif (A. D. 1822-23).

22. 1 of Soorsun Khumus Ashreen Meiatain and Alif (A. D. 1824-5).

23. 1 of Soorsun Seet Ashreen Meiatain and Alif (A. D. 1825-6).

24. 1 of Soorsun Suba Ashreen Meiatain and Alif (A. D. 1826-7).

25. 1 of Soorsun Suman Ashreen Meiatain and Alif (A. D. 1827-8).

In all nine papers, containing proof of our enjoyment.

26. An English letter,* dated in A. D. 1818, from General Thomas Munro, for the continuance of my village.

27. The Mahratta translation of another English letter,† dated in A. D. 1818, from General Munro, for the continuance of the village. The original of this letter has been lost, but a Mahratta translation, which is *with me*, is now produced.

28. The attested copy of Mr. Chaplin's report‡ to Government that he had given my father, Sudasew Bapput, a pension, for having, according to General Munro's orders, performed services at Bheemgurh and Pargurh. This copy I obtained on stamp paper from the Registry, and will produce to-morrow.

In all twenty-eight papers, of which twenty-seven are now produced, and one I will produce to-morrow. Moreover, in proof of our having up to this day enjoyed the village without performing any Government service, I request that the Commission will take the depositions of the following witnesses :—

* What the claimant has produced as an English letter appears rather to be a certificate to prevent any of the British troops from disturbing the inhabitants of Modugay. The following is a copy of it :—

" It is requested that all officers and public servants of the British Government will prevent their followers from molesting the inhabitants of Modugay, as the village is the jagheer of Ballajee Mahadeo, a servant of Chintamunrow, who was very zealous in rendering every aid in his power, by collecting bamboos and materials during the siege of Belgaum.

(Signed) THOMAS MUNRO, Brigadier General.

Camp at Marrihal, 18th April 1818.

The Commission thinks that it is quite plain that this was meant to be merely a pass or protection, and not a recognition of *Bapput's tenure* of Modugay. Moreover, if it *were* looked on in the latter light, it could not, at all events, be construed into a recognition of his title as an *Inamdar*.

† The translation here produced by the claimant was never once mentioned by him during the preliminary investigation before the Collector of Belgaum. Indeed, he did not then pretend that Sir T. Munro had given him any other writing than No. 26 above described. This previous silence of the claimant throws the utmost suspicion on the truth of the translation now produced by him; the more so as it has already been seen, from his production of a false copy of the Putwurdhun's Tynat Jabita, that he is not above making use of fabricated evidence. The translation is in the *claimant's own handwriting*, and not in any way authenticated, so that it would be absurd to place any sort of credit on it as evidence. Such as it is, the following is its purport :—

"The British Government orders all Sirkaree servants and officers in the English Company's jurisdiction as follows :—Chintamun Row Putwurdhun's servant, a respectable person, called Ballajee Mahadeo, now holds the village called Modugay as his Inamtee jagheer. At the time when the Government army came and took possession of Belgaum, the said Ballajee Mahadeo gave great assistance to the Company, by (furnishing) bamboos, &c. when necessary for the use of the batteries; wherefore I have been greatly pleased with him, and desire that all of you officers will uninterruptedly continue to him, under the Company, the said jagheer, without causing any difficulty. Observe this. Dated 18th April A. D. 1818, in Camp at Marrihal. The hand of Brigadier General Munro Saheb."

The Commission is of opinion that, if the above be not altogether a fraudulent fabrication, it is, at all events, a paraphrase of the document No. 26, giving to it the sense which the claimant *would like it to have*. It is most unlikely that Sir T. Munro would have *on the same day* written two such documents, when one would have sufficed, without additional trouble, to contain the purport of both. This Mahratta translation, No. 27, must therefore be wholly discredited.

‡ The 28th document here mentioned by the claimant was afterwards produced by him. It is an attested extract from a letter addressed by Mr. Chaplin to Mr. Elphinstone on the 2nd September 1819, as follows :—

" Sudashew Punt, Bhow of Shapoor, was employed by General Munro in negociating the surrender of Bheemgurh and Pargurh, and in other services. He was recommended for a revenue situation, but he feels himself disqualified for this sort of duty. I beg leave to propose that a pension for life, of five Pagodas per mensem, be granted to him."

1*st.* Shideshwur Row Dada Saheb,* Beenewala.

2*nd.* Bulwuntrow Baboorow,† Dufterdar of talooka Shahapoor.

3*rd.* Ramchunder Bhojrow,‡ Deshpande of purgunna Padshapoor.

4*th.* Lingo Punt Apa,§ Nisbut Nipaneekur.

5*th.* Chintamunrow Apa Saheb,‖ Sangleekur.

In all five persons, whose evidence should be taken. Except this, I have nothing more to offer in proof.

Question XIV.

What is the kumal, and what the present actual rental of Modugay ? State also the amount of net income you receive from it.

Answer XIV.

The kumal revenue of the village is about Rs. 2,300, and it now yields about the same amount, from which after deducting for village expenses, &c. Rs. 300, and for pay of Carkoons and Peeadas, &c. employed in making collections, Rs. 200, the net income amounts to about Rs. 1,800; but when the value of waste land and decrease of Jooree rents, amounting to about Rs. 200 more, are deducted, the annual income derived, when no remissions are granted, amounts to Rs. 1,600.

Question XV.

Is the village held by you as sole owner, or is it divided among your relations?

Answer XV.

The village has not been separately partitioned between me and my relatives up to this day ; the whole six of us receive the revenue of the village; we all live together, and have not separate interests. A genealogical tree has been separately written, and is annexed.

This document is wholly irrelevant to the exact question at issue, viz. the claimant's title to Modugay ; but the Commission has been unwilling to give him even apparent grounds of complaint, by refusing *any* evidence offered by him,—a fact which the Commission hopes will excuse the admission of this and several others of the twenty-eight documents presented with the claimant's XIII. answer.

* The evidence afforded by the Beenewala is recorded in paras. 57, 58, and 59.

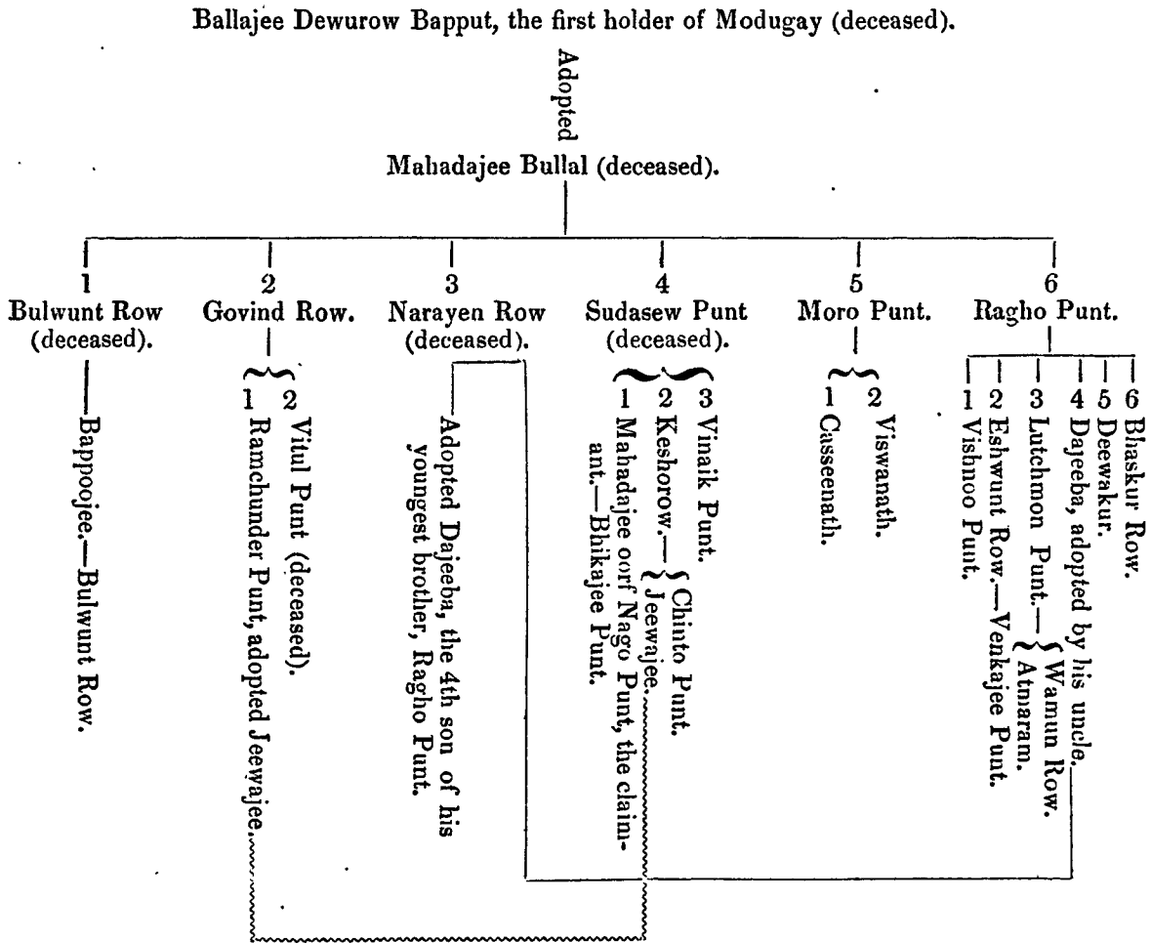
† The deposition of Bulwuntrow Baboorow is recorded at para. 60.

‡ The deposition of Ramchunder Bhojrow is recorded at para. 61.

§ Lingo Punt's evidence is recorded at para. 62.

‖ Chintamun Row's evidence is recorded in para. 63.

The following is a translation of the genealogical tree given in with this answer :—



Question XVI.

In the copy of Wamunrow Govind's Tynat Jabita produced by you, the words "the same as last year" are found ; but the Coolkurnee of the village, Shiddo Goorunath, states* that those words should be " as service wages" ; what is your answer to this ?

Answer XVI.

The copy produced by me as above I obtained from Apa Saheb Putwurdhan ; the original Tynat Jabita is not with Apa Saheb, but may be in the Paishwa's Dufter, which you, Sir, can examine, and whatever may be found written therein, let it be approved.

Question XVII.

On looking at the accounts† in the Paishwa's Dufter, mouza Modugay is deducted, from the year Teesa Khumsaeen Meia and Alif (A. D. 1758-9) till Arba Seetaeen Meia and Alif (A. D. 1763-4), in the name of Ballajee Dewurow. In the Tynat Jabita of Govind Hurree for Khumus Seetaee (A. D. 1764-5) it is also deducted, but by whom it is held is not mentioned. In Soorsun Seet Seetaeen Meia and Alif (A. D. 1765-6) it is deducted in the name of Ballajee Dewurow's son, Mahadajee Bullal ; and in this name it is entered until Soorsun Arba Meiatain and Alif (A. D. 1803-4). It is seen that the Paishwa, on the 9th Rubbee-ool Awul of the last mentioned year, wrote to Chintamunrow Pandoorung, &c. that, in consequence of the death of Mahadajee Bullal, mouza Modugay, of purgunna Shahapoor, which had been held as Surinjam by him,

* Shiddo Goorunath's assertion was fully corroborated by the examination of the Tynat Jabita itself, described at page 3, in note on the 16th paragraph.

† The accounts to which this question refers are those described in paras. 5 to 16, and 19 to 23.

had been resumed; and that its Comavis, from that year, was given to Dhondo Narayen. Did this arrangement continue, or was any order issued by the Sirkar for giving back the village to your family?

Answer XVII.

The above mentioned letter was never received at my village, and it never was managed in the manner therein mentioned.

Question XVIII.

From the first the village is entered in the Paishwa's accounts as continued "as service wages." If it was not given as service wages, but for the support of your family, what is the reason of its being so entered in the accounts?

Answer XVIII.

I am ignorant of this circumstance. We never performed any service.

(Signed) MAHADAJEE SUDASEW BAPPUT.

Given before me this 6th day of June 1846.

(Signed) W. HART,
Inam Commissioner.

Continued on the 8th June 1846.

Question XIX.

The Coolkurnee of mouza Modugay has stated, in the presence of the Collector of Belgaum, that the village of Modugay was not originally acquired in Inam, but that the Paishwa, in Soorsun Teesa Khumsaeen Meia and Alif (A. D. 1758-9), gave Ballajee Dewurow Vakeel a palkee, and for its Surinjam allotted the sum of Rs. 1,000 payable out of the revenues of Modugay. The Coolkurnee has also produced the copy of a Takeed Chittee* to this effect. If this copy is to be believed, you should have received Rs. 1,000 from the revenues of Modugay as a Nemnook, but should not have enjoyed the village as Inam; state, therefore, what you have to say regarding this matter.

Answer XIX.

My great grandfather, who was a Vakeel on the part of the Paishwa at Soudé Bednoor, obtained a Yad dated Soorsun Khumus Khumsaeen Meia and Alif (A. D. 1754-5), granting to him a palkee Nemnook. This original Yad† I have produced; on examining it, you will see that a false copy has been produced (by the Coolkurnee).

* The document alluded to in this question is that translated in the 45th paragraph.

† The Yad of A. D. 1754-5 produced by the claimant, along with his XIX. answer, is a small scrap of paper unauthenticated by any seal, signature, or otherwise. Its meaning is obscure, and the Commission cannot understand how it can be used as evidence to show that the Coolkurnee's copy (described in the 45th paragraph) is a false one. The claimant's Yad in question is as follows:—

"MEMORANDUM.—A palanquin has been given to Ballajee Dewurow, for which an allowance (is to be made). Soorsun Khumas Khumsaeen Meia and Alif (A. D. 1754-5).

"Allowance to bearers Rs. 1,100 yearly [eleven hundred Rs. agreed].* Out of the salary. The bearers' wages for one and a half month Rs. 108† [one hundred and eight agreed].*

"Furniture to be supplied every other year [agreed].* At present there are in the camp no means of furnishing a palanquin. Wherefore wherefore‡ a Sunnud should be given for preparing a palanquin in Bednoor. Whatever expense may be incurred will be paid from the Sirkar. Materials of a middling quality are to be purchased, and the palkee prepared. A Sunnud to this effect is to be given in the name of Ballajee Dewurow."

* The sentences enclosed in brackets are in the original of different handwriting from the rest.

† This apparent discrepancy exists in the original.

‡ This erroneous repitition exists in the original.

As proof that this Coolkurnee is my enemy, I also produce a Yad* dated Soorsun Suman Teesaee (A. D. 1797-8), containing the decision on a dispute between his father and my father. It rests with the Sirkar to make inquiries concerning the fabricated copy which has been produced.

Question XX.

The original Yad now presented by you regarding the palkee is not sealed, signed, or dated. Notwithstanding, if it be believed genuine, how is it to be understood from it that the Takeed produced by the Coolkurnee is false?

Answer XX.

In the Government Behras, the revenue of mouza Modugay is entered at Rs. 918-8-0, and in the copy produced by the Coolkurnee it is stated that a palkee is given, and in support of it a Surinjam of Rs. 1,000 payable from the revenue of Modugay. Now, as the income of the village was from the first less than that sum, how could the Sirkar's Takeed have contained an order to pay Rs. 1,000, and to go on debiting that amount?† Moreover, the Coolkurnee does not produce any accounts to show that any such payment ever took place. For these reasons the copy appears to be fabricated; and from the Yad now produced by him it will be seen that the palkee Surinjam had been obtained from the Sirkar *previous* to Modugay being given to my great grandfather.

Question XXI.

In the Yad produced by you it is written that a Sunnud is to be given according to the purport of the Yad; when was such a Sunnud issued, and what proof is there of it? And during what period, and from what place, were the Rs. 1,000 mentioned in the Yad received, if not from the revenues of Modugay? What proof have you to offer concerning this?

Answer XXI.

My great grandfather may have obtained the Sunnud, but I have no proof of this, nor have I any proof to show during what period, or from what revenues, the money above mentioned was paid. Our papers were lost from our house during the disturbances.

* The second document (viz. the Yad of A. D. 1797-8) produced by the claimant with his XIX. answer is used by him as evidence of ill-will on the part of Shiddo Goorunath. This was unnecessary, for the Coolkurnee's enmity is very apparent, as noticed above, in the 43rd paragraph. But it appears to the Commission that this Yad is exceedingly hostile to the claimant's asserted title as Inamdar. It is headed "a Yad of Agreement by Goorunath Kulrus, Coolkurnee of Mouza Modugay in Tuppa Sambrey Nisbut (under) Mahadajee Bullal Bapput, in Soorsun Suman Teesaeen Meia and Alif (A. D. 1797-8), Goozarat (through the medium of) Dewjee Krishn, Deshpande of Purgunna Azumnuggur." Modugay is not, throughout the Yad, mentioned as an Inam, or otherwise than as a Government (Sirkaree) village, nor is Bapput mentioned as an Inamdar, though frequently alluded to under such circumstances that it is wholly incredible that he would not have been so mentioned, had he been at the time looked upon as such.

† This is a weak argument. There is no improbability in a Sunnud granting a Nemnook of Rs. 1,000 being issued, though the village on which it was granted should in the accounts be entered as of a revenue insufficient to discharge it. Moreover, the claimant admits in his XIV. answer, that the village affords a revenue more than double that at which it is entered in the Paishwa's accounts. The latter valuation, it has been seen, in para. 6, and at the close of para. 11, was adopted from the realizations of Luchmon Konher in A. D. 1757-8, and there was no regular correction of it at any subsequent period. Neither does the *Yad* appealed to in this answer (even if regarded as authentic) show the falsity of the Coolkurnee's copy, for the latter *purports* to have been issued *after* the grant of a palanquin to Bapput. It is possible that Ballajee Dewurow may have had a Nemnook before the village of Modugay was assigned to him, which it was in A. D. 1758-9, as shown by the Government accounts quoted in para. 6.

Question XXII.

It appears from accounts in the Paishwa's Dufter* that in Soorsun Seet Subaeen Meia and Alif (A. D. 1775-6) Mahadajee Bullal had agreed to pay to the Sirkar the revenue of Modugay for one year (as eksalee) and that, on the 28th Ramzan, the Paishwa gave an order for paying, out of that revenue, a sum of Rs. 528 to a Silladar, under Ramchunder Seewajee, as part of his salary, and on the 2nd Rubbee-ool Awul another order for Rs. 232 to be paid to Ambajee Chuwhun Silladar. In this manner two orders were sent; state what you know regarding the nature of the above agreement.

Answer XXII.

I do not know for what reason the orders for levying eksalee were issued in Soorsun Seet Subaeen (A. D. 1775-6), but the Paishwa, in a letter† dated 2nd Jummadil Akhir Suba Subaeen (1776-7) directed Krishnrow Anunt not to demand that revenue: the original letter is now produced. In the same year an order had been drawn on Mahadajee Bullal, and given to some Hoozoor servants to collect the amount, and the copy‡ of an order dated 21st Jummadil Akhir, directing the return of the Hushams without collecting the money, is now produced.

Question XXIII.

In the Paishwa's Roz Kheerd§ there is the registry of a Sunnud dated 7th Jummadil Awul Soorsun Suba Teesaeen Meia and Alif (A. D. 1796-7) addressed to Mahadajee Bullal, Surinjamdar of mouza Modugay, purgunna Shahapoor, stating that Rs. 1,015 are due on account of the Surinjam and Huk Roosooms. And in the records of the next year, Soorsun Suman Teesaeen Meia and Alif (A. D. 1797-8), under date 6th Jummadil Akhir, an order is registered stating that a bill for Rs. 1,000 of the last year's revenue of Modugay, which had been agreed should be given to the Sirkar, was that day drawn on Mahadajee Bullal. What do you know of this circumstance?

Answer XXIII.

If my grandfather had paid the Sirkar any money, he would have taken a receipt. No such receipt is in our house,‖ nor are there any accounts of the time of my father containing any entry of any money paid to the Sirkar, and my father never told me that any had been so paid.

Question XXIV.

Shiddo Goorunath Coolkurnee has stated before the Collector of Belgaum, that during the three years from Soorsun Khumas Meiatain and Alif till Soorsun Suba

* The accounts alluded to in this XXII. question are those described in the 18th paragraph.

† The letter to Krishnrow Anunt produced by the claimant with his XXII. reply is dated the 21st, not the 2nd of Jummadil Akhir in Soorsun Suba Subaeen. It purports to be written by the Paishwa Mahadorow Narain, but there is no registry of it to be found in the Hoozoor Roz Kheerds, although they are perfect for the period at which it purports to have been issued. Its matter is as follows:—

"A draft on Mahadajee Bullal on account of the revenues of mouza Modugay, in purgunna Shahapoor, was given to the Hoozoor Hushams (peons); this is now countermanded. You are therefore not to importune the said (Mahadajee). Should you have sent to him the holders of the draft, you are to recall them."

‡ The second document produced with this answer is one which purports to be the copy of a Takeed issued by the Paishwa, on the same day as the last, to the Hoozoor Hushams, ordering them to refrain from importuning Mahadajee Bullal for the amount of the draft on him which had been given to them to obtain payment of. This copy is unauthenticated, and there is no registry of it in the Poona Dufter, as there would be had it been issued by the Paishwa.

§ The records alluded to in the Commission's XXIII. question to the claimant are the bills described in the 20th and 21st paragraphs.

‖ This affords but little argument, if the end of claimant's XXI. answer be true.

Meiatain and Alif (A. D. 1804-5 till 1806-7) the management of the village was with the Shahapoor Soobha; in proof of this he has produced four notes* of the Shahapoor Soobhedar, for Soorsun Seet Meiatain and Alif (A. D. 1805-6). Write whatever you may have to state regarding this matter.

Answer XXIV.

As to the management under the Shahapoor Soobha, it (the Soobha) is under Chintamunrow Apa Saheb; and Apa Saheb last year wrote a letter† dated 23rd Jummadool Akhir Soorsun Seet Arbaeen Meiatain and Alif (A. D. 1845) to Mr. Reeves, Political Agent, stating that for four descents and eighty years the village had continued with the Bapputs. From this the Sirkar will see whether the management was under the Shahapoor Soobha, or not.‡ The Kittoorkur, &c. formerly used to make exactions in the Shahapoor talook, and Khundnee may have on this account been received from my village also. Receipts may have been given for money so levied.

Given before the Commission this 8th June 1846.

(Signed) MAHADAJEE SUDASEW BAPPUT.

Given before me this 8th June 1846.

(Signed) W. HART,
Inam Commissioner.

Continued on the 9th June 1846.

I wrote above that I would produce the copy of Mr. Chaplin's report to-morrow; this copy I now produce. Dated 9th June 1846.

(Signed) MAHADAJEE SUDASEW BAPPUT.

Given this 9th June 1846.

(Signed) W. HART,
Inam Commissioner.

Continued on the 13th June 1846.

Question XXV.

You yesterday came and stated that you have more proof of enjoyment towards the close of the Paishwa's Government. You will, therefore, now produce whatever proof

* The four notes alluded to in the Commission's XXIV. question are included among the records described in the 48th para.

† Chintamun Row's letter here alluded to by the claimant is to the following effect :—

"In my Tynat Jabita issued by the Paishwa, mouza Modugay was deducted from purgunna Shahapoor, in the name of Mahadajee Bullal Bapput, and has since then been continued to Bapput through three or four generations, and about eighty years. Of late, after the introduction of the present Government, Ballajee Mahadeo Bapput performed services for General Munro, in consideration of which, that gentleman gave him a writing about the village; and since then, when money was paid in to Government, at the time of the Kolapoor insurrection, Mahadajee Sudasew Bapput used every endeavour. With this you are acquainted. But I understand that some one has now got up a false statement about the village, and that an investigation is proceeding at Belgaum. Wherefore I write to you, that the said village is deducted in our Tynat Jabita in Bapput's name, and has, till now, been uninterruptedly continued. It ought to be still so continued, and I beg that you will take measures that no interruption of any sort may be caused to it."

This letter is good evidence that the claimant has a zealous friend in his master, Chintamun Row; but its assertions regarding the uninterruptedness of Bapput's enjoyment cannot be believed. In fact, they uphold more than even the claimant himself pretends to, in the way of enjoyment. It is remarkable that Chintamun Row is entirely silent as to the *nature* of the tenure by which Bapput held Modugay.

‡ In this XXIV. reply the claimant gives it to be understood that Modugay was never mortgaged by the Shahapoor Soobhedar; and that his only connection with it was in collecting the Kittoorkur's Khundnee Puttee, &c. But in his next answer, given five days afterwards, he abandons this assertion, and admits that the collections of the revenue were made by the Shahapoor Soobhedar, stating they were so on account of a private debt. Of this period he has no accounts to produce.

you may have of enjoyment between Soorsun Arba Meiatain* (A. D. 1803-4) and the commencement of the Company's rule.

Answer XXV.

From Soorsun Arba Meiatain (A. D. 1803) up to the last year of the Paishwa's Sirkar, the following documents :—

An account† of collections for Arba Meiatain and Alif (A. D. 1803-4), which was formerly given to the Sirkar. For the three years from Soorsun Khumas Meiatain to Suba Meiatain (A. D. 1804-5 to 1806-7) the collections were made by Moro Dhondeo, Mamlutdar of Shahapoor,‡ and paid to Krishnrow Hipurgee Joshee in liquidation of a debt due to his father which had not been paid by me. I have no accounts of this period. I produce, however, an account of collections§ for Soorsun Suman Meiatain and Alif (A. D. 1807-8) prepared by Shiddo Goorunath, Coolkurnee of the village.

An order dated 8th Zilhej Soorsun Teesa Meiatain and Alif (A. D. 1808-9) issued from the Shahapoor Soobha for the levying of a contribution of grass and grain for the Kittoorkur. This paper I formerly‖ produced. No accounts of the period from Soorsun Ashur Meiatain and Alif to Soorsun Arba (A. D. 1809-10 to 1813-4) are forthcoming, having been lost during the disturbances. The circumstances of the attachment of the village by Venkajee Eshwunt's brother, Antajee Eshwunt, in Soorsun Khumas Ashur (A. D. 1814-5), has been stated in my deposition.¶

There are no accounts for Seet and Suba Ashur (A. D. 1815-6 and 1816-7).

In this manner** from Arba Meiatain to Suba Ashur (A. D. 1803-4 to 1816-7),

* The year A. D. 1803-4 is particularly referred to in this question, as it was that in which the Paishwa ordered the resumption of Modugay from the claimant's family ; and it is of the greatest importance to him to be able to show how his father obtained permission from the Sirkar to again hold it, whether as Inam or in any other manner. This he has wholly failed to do.

† The account here alluded to by Bapput is the 14th document presented by him with his XIII. answer, in the note on which, at page 23, it will be found described.

‡ The Commission has, at page 30, in note on the claimant's XXIV. answer, mentioned the fact of his subsequently abandoning the assertion made by him in it, that the village was never further interfered with by Chintamun Row's Soobhedar of Shahapoor than to collect the Kittoorkur's Khundnee. It is remarkable that in his present statement he refers its management by the Shahapoor Soobhedar, on account of private debt, to the period immediately subsequent to the Paishwa's order for its resumption, mentioned in para. 23, a period at which the record from the Paishwa's Dufter, described in para. 24, declares that the Merijkur Putwurdhun was unauthorizedly holding it, not on Bapput's account, but on his own. This declaration agrees with the purport of the twelve documents quoted in para. 48, and with the 11th paper produced by the claimant himself with his XIII. answer ; while there is nothing at all to support the *statement* made by him.

§ The account of A. D. 1807-8 here produced by the claimant is headed as "A Yad of Receipts and Expenditure in Mouza Modugay, the Inam Village of Bulwunt Row Bapput, for the whole of Soorsun Suman Meiatain and Alif (A. D. 1807-8)." Shiddo Goorunath, the Coolkurnee, by whose hands the claimant asserts this document was prepared, denies all knowledge of it. Supposing, however, that his denial were untrue, and that he did really prepare it, his calling Modugay an Inam village could not give the claimant any just title as an Inamdar. This document is very remarkable as being one of the *only two* forthcoming dated before the introduction of the present Government, and filed in the present case, in which Modugay is mentioned as Inam.

‖ The order of A. D. 1808-9 is the 11th document produced by the claimant with his XIII. answer, where it is described as unfavourable to his title.

¶ The claimant here alludes to the X. answer in his examination ; he recurs to the same attachment in his XXVI. answer, at para. 64.

** In this XXV. answer the claimant, having an opportunity given to him of exhibiting all his evidence to prove his connection with Modugay, from the time of its resumption by the Paishwa till the close of that Sovereign's Government, has mentioned only three documents, of A. D. 1803-4, 1807-8, and 1808-9 ; of these only one is new. The first and third have been described in notes on the claimant's XIII. answer, and a second in a preceding note on this one. None of them are of use to him as evidence of authorized enjoyment, whether as Inamdar, or *in any other manner*.

I have written the history of the village, and I have produced the account of collections for Suman Meiatain (A. D. 1807).

Dated 13*th June* 1846.

(Signed) MAHADAJEE SUDASEW BAPPUT.

Given before me this 13*th day of June* 1846.

(Signed) W. HART,
Inam Commissioner.

56. At the close of the XIII. reply in the above examination, the claimant requested the Commission to take the evidence of five persons there named, and accordingly the Commission, having received from Bapput a list of the questions he wished to ask each of his five witnesses, obtained their answers to them, as well as to other queries which suggested themselves. The statements by the five persons in question are now to be recorded.

57. The following is the purport of the statement of the claimant's first witness, Shideshwur Row Dada Saheb, Beenewala, sent from Poona to the Inam Commission, in reply to fourteen questions forwarded through the Agent for Sirdars in the Deccan: —

Question I. (by the Claimant.)

What is your age?

Answer I.

My age is 68 years.

Question II. (by the Claimant.)

Mouza Modugay, of talooka Shahapoor, is now continued to Mahadajee Sudasew Bapput; were you acquainted with his father and grandfather, or not? If so, state their names.

Answer II.

Bapput's father's name was Sudasew Punt, and Sudasew's father's name Mahadajee Punt; I knew both these persons.

Question III. (by the Claimant.)

What situations were held by the abovenamed Bapput's grandfather and father under the Paishwa's Government; and when did they die? Write whatever you may know of your own knowledge on these points.

Answer III.

Bapput's father and grandfather held no situations under the Sirkar. Sudasew Punt Bapput died after the introduction of the English Government; and his father died during the Paishwa's rule; but I do not know in what year or month.

Question IV. (by the Claimant.)

Should the abovementioned Bapput's grandfather and father have held any employment under the Paishwa, what were their salaries, and from whence received? State what you may know of this.

Answer IV.

Bapput's father and grandfather never held any situations, and received no pay whatever.

Question V. (by the Claimant.)

For how many years was the Mamlut of Belgaum held by your father and yourself under the Paishwa; and from what year to what year was it so held?

Answer V.

The Mamlut was held from the time of my grandfather, Visajee Punt Dada, till the close of my management, about Shuk 1730-31 (A. D. 1808-9), in all about sixty or sixty-five years.

Question VI. (by the Claimant.)

During the above period what were the arrangements for collecting the revenues of Modugay; were they received by the Sirkar or by Bapput's father?

Answer VI.

The settlement (of the revenues) of Modugay was made by Bapput's father. The village was once attached by the Paishwa's Sirkar, and the management remained under the fort of Belgaum for about ten or twelve years. On it afterwards becoming known, on inquiry, that Bapput was not in fault, the Paishwa removed the attachment, and again gave over the village to Bapput; and he then began to manage it.

Question VII. (by the Claimant.)

Should (the revenues) have been brought to the account of the Sirkar, were they accounted for in the Government accounts, or how?

Answer VII.

While under attachment the revenues were collected for the Sirkar, and entered in the accounts as in deposit.

Question VIII. (by the Claimant.)

In the fifth question you were asked, for how many years the Mamlut of Belgaum was held by your ancestors and yourself, from the time it was first acquired till the last day of your management; state if, previous to the Mamlut being finally taken from you, the Paishwa at any time issued Sunnuds for making over the Mamlut to another. If such Sunnuds were issued, what took place in consequence?

Answer VIII.

In the time of my father, the Mamlut of the Mahal, with the exception of the fort, was for two years given to another person, who agreed with the Sirkar to pay more; but this increase was never collected, and the management of the Mahal was again given to my father. Afterwards, about the time of Holkar's disturbances, the Paishwa again issued a Sunnud for a transfer of the Mamlut; but owing to the disturbances his orders were not carried into effect, neither was the Sunnud received; and consequently no other person's authority was established on that occasion.

Question IX. (by the Claimant.)

Mouza Modugay was deducted from the Shahapoor purgunna; who then (exclusive of any general management by the Inamdar) used to have the management of miscellaneous matters on the part of the Sirkar during the Paishwa's rule,—such as the management of collections of Eksalee, &c. that may have been due to the Sirkar, &c.; was it under the Mamlutdar of the Padshapoor purgunna, or under that of Belgaum?

*Answer IX.**

The management was with the Inamdar alone. There never was any settlement of Government dues, &c. with the fort of Belgaum.

Question X. (by the Commission.)

During the time the fort of Belgaum, &c. was in your charge, was the Mamlut of purgunna Padshapoor continuously held by you, or was it ever meanwhile held by another?

Answer X.

The Mamlut of purgunna Padshapoor was formerly held by me, but it was afterwards given by Bajee Row Sahib to the Nipaneekur Sirlushkur.

Question XI. (by the Commission.)

The Mamlut of purgunna Padshapoor appears to have been taken from you and placed under the Sursoobha of the Carnatic Prant, in Soorsun Arba Meiatain (A. D. 1803-4) or Khumas Meiatain (A. D. 1804-5); state what you may, of your own recollection, know, or what you may have heard, regarding the circumstances of the village of Modugay subsequent to the above transfer.

Answer XI.

I do not, either of my own recollection or from hearsay, know what were the circumstances of the village subsequently.

Question XII. (by the Commission.)

After the death of Mahadajee Bullal Bapput the Paishwa issued a Sunnud to Dhondo Narayen Mundlick, giving to him the Comavis of Modugay; state if you know what arrangements were made in consequence of this order.

Answer XII.

I know nothing on this subject.

Question XIII. (by the Commission.)

Should the management of Modugay have been held by Chintamun Row's Soobhedar of purgunna Shahapoor in Soorsun Seet Meiatain, (A. D. 1805-6,) from and until what year was it so managed; and when, and on what account, did his management cease? Write what you may know of this.

Answer XIII.

I do not know anything on these subjects.

Question XIV. (by the Commission.)

In Soorsun Khumas Ashur Meiatain and Alif (A. D. 1814-5) the management of Modugay was with Antajee Eshwunt Zukatdar,† of Belgaum: write in detail what you may know of the condition of the village during this time.

Answer XIV.

On this subject, also, I am ignorant. In this manner I have written replies to the fourteen questions.

(Signed) SHIDESHWUR MUHEEPUTROW,
Beenewala.

Date of despatch 15th July 1846.

* The Beenewala in his XVIII. answer writes that what he stated in this his IX. answer was from hearsay.

† Antajee Eshwunt Zukatdar was so called because he farmed the zukat, or customs, of Belgaum from the Company's Government; at the date of the transaction alluded to in this question he was *Mamlutdar* at Belgaum.

58. The Commission considering it necessary further to examine the Beenewala, for the purpose of clearing up some obscurities in the above replies, forwarded to him, through the Agent for Sirdars, for his inspection, eighteen of the papers said by the Coolkurnee Shiddo Goorunath to have been sealed and issued at the fort of Belgaum, with six additional questions, which, with the Beenewala's replies to them, are translated below.

Translation of a further statement made before the Agent for Sirdars at Poona, by Shideshwur Row Dada Sahib Beenewala, in reply to six additional questions forwarded by the Inam Commission :—

Question XV. (by the Commission.)

In your VI. answer you have stated that the management of Modugay was under the control of Bapput's father, that the village was once attached by the Paishwa's Sirkar, and the management remained under the fort of Belgaum for about ten or twelve years; but that afterwards, on its becoming known, on inquiry, that Bapput was not in fault, the Paishwa removed the attachment, and again gave over the village to him: state in what year the Paishwa issued orders directing the attachment, and if you have in your possession the above order, send a copy for inspection; also state in what year the order directing the removal of the attachment was written; and, should this order also be in your possession, send a copy for inspection. State further from what year to what year the management of the village, while under attachment, remained in your hands. You have also mentioned that for ten or twelve years the management of the village was under Belgaum; papers of the time of your management have been found, eighteen of which papers* have now been sent to the Agent in the Deccan for your inspection. From these papers, and several other Takeeds, &c. to the village officers of Modugay, which seem to have been issued by you, it appears that the accounts of the village were prepared by you, and that its general management was in your hands. Be pleased, therefore, to examine the above papers; and if, as you say, the management of Modugay was under Belgaum for only ten or twelve years, what is the reason of all these papers having proceeded from you? When they were written was the village managed by you on the part of Bapput, or how? It appears, in fact, on looking at the dates of the above-mentioned papers, that they extend through a period of twenty-eight years; write therefore in detail what connection you and Bapput had with the village in each year during the above period.

Answer XV.

The attachment and release of Modugay by the Paishwa's Sirkar took place in the time of my father Muheeput Row, wherefore I do not know in what year either the attachment or release took place; and all the papers I had were lost in Shuk 1724 (A. D. 1802-3) during Holkar's disturbances, so that I have no papers containing proof of the attachment or release. Neither can I, for certain, state from what year to what year the management of the village, while under attachment, was in my hands, in consequence of there being no documents in my possession. I have examined the eighteen papers now shown to me. I before wrote that the village was under attachment for ten or twelve years; my reason for writing so, was that during its management about Rs. 12,000 had been collected. This money was paid to the Paishwa's Sirkar at Poona, but I do not recollect in what year. From this amount I estimated by guess, and wrote in my answer twelve years; I cannot, however, for certain state that the village was under attachment for this number of years, neither do I know if Bapput ever farmed or gave Modugay in Comavis through us. I was

* The eighteen papers sent to the Beenewala with this question were those numbered as follows in the 47th paragraph, viz. Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 14, 15, 16, 21, 24, 27, 28, 30, 31.

employed at Belgaum from Shuk 1724 to Shuk 1728-29 (A. D. 1802-3 to 1806-7), and know nothing whatever of the history of Modugay previous to the above period.* The abovementioned sum of Rs. 12,000 was paid to the Paishwa's Sirkar before Holkar's disturbances commenced. I will search (for the papers) regarding this, and will produce them if found. I have again examined the eighteen papers; I do not know that they are accounts of the management of our subordinate officers; nor can I say by whom they were written and prepared. I never had any connection with Bapput in the management of Modugay. Of the above eighteen papers some may be in the handwriting of my Carkoons; but as the Carkoons were very numerous, I cannot state by which of them any of the papers were written.

Question XVI. (by the Commission.)

In your seventh answer you have written that "while under attachment the revenues of Modugay were collected for the Sirkar, and entered in the accounts as in deposit." In the Taleebunds, &c. of what Mahal used they to be so brought to account? In the papers now sent there are several entries of collections, &c. debited; but general Taleebunds of the Padshapoor purgunna, while under you, have been found, and they contain no entries respecting Modugay; state, therefore, in which of the Mahal accounts the revenue for those years used to be debited.

Answer XVI.

I formerly wrote, from what I had heard, that the revenues of Modugay while under attachment used to be entered in the accounts as in deposit. Should there be any entries of the amount they will probably be found in any accounts and Taleebunds relating to the fort of Belgaum.† I have no documents concerning this in my possession.

Question XVII. (by the Commission.)

In your eighth answer you have written that in the time of your father the Mamlut of the Mahal, with the exception of the fort, was for two years given to another, he having agreed with the Sirkar to pay more, but that, as this increase was never realized, the Mahal was again given to your father. In what year, and to whom, was the Mahal given, and in what year was it again obtained by your father? Send also for inspection copies of the original Sunnuds which may be in your possession, and which may have been issued for taking the Mamlut from your father and giving it over to the other, and for afterwards re-transferring it to your father. You have also stated, in your eighth answer, that about the time of Holkar's disturbances the Paishwa issued a Sunnud for transferring the Mamlut; but that, owing to the disturbances, the transfer did not take effect, neither was the Sunnud received. In what year was this Sunnud issued, and to whom was the Mamlut ordered to be given?

Answer XVII.

What I formerly wrote in my VIII. answer was from hearsay. I know nothing whatever of who agreed to pay more than my father, nor in what year a Sunnud was given to him; neither do I know in what year it was taken back and given to my father; or what Sunnud was issued on that occasion; neither have I any Sunnuds, &c. concerning this in my possession.

* The Beenewala here states that he knows nothing, of his own knowledge, about Modugay previous to A. D. 1802-3, and in his XI. answer he has written that he knows nothing of it subsequent to the transfer of his Mamlut of Padshapoor to the Sursoobha, which the Poona Dufter shows took place in A. D. 1803-4. This reduces the Beenewala's available evidence within narrow limits.

† One of these, containing an entry regarding Modugay, is the first paper produced by Nana Keerluskur, as described in para, 52.

Question XVIII. (by the Commission.)

In your IX. answer you have stated that "the management of the village was with the Inamdar alone, and that no settlement of Government dues, &c. was ever with the fort of Belgaum." During the time of your management, Takeeds regarding miscellaneous settlements, &c. appear to have been issued, and six such Takeeds* are among the papers now sent; examine them, and write what you may know on the subject.

Answer XVIII.

What I wrote in my IX. answer was from hearsay. I have seen the six papers sent, but I do not know whether they are in the handwriting of the subordinates who were under me or not; and none of those who were then under me are now with me.

Question XIX (by the Commission.)

In your X. answer you have stated that "the Mamlut of purgunna Padshapoor was formerly held by you, but it was afterwards given by Bajee Row Sahib to the Nipaneekur Sirlushkur." In what year was the Mamlut given to the Nipaneekur, and when and in what year was it taken from the Nipaneekur, and again given to you? And should you have in your possession the original Sunnuds or copies of the Sunnuds that may have been issued for giving the Mamlut to the Nipaneekur, and again taking it from him, send copies of them.

Answer XIX.

The Mamlut of Padshapoor, which was with me, was taken by Bajee Row Sahib, and given to the Nipaneekur; and the Mamlut did not again come into my hands. I do not know in what year the Paishwa gave the Mamlut to the Nipaneekur, nor have I any papers of that period in my possession.

Question XX. (by the Commission.)

In what year and what month were the Mamluts of the Padshapoor talooka and fort finally taken from you?

Answer XX.

I do not know in what year the Mamlut of Padshapoor was taken from me; that of the fort of Belgaum was taken from me about Shuk 1730 or Shuk 1731 (A. D. 1808-9 or 1809-10); this I have stated from recollection. I have no documents regarding this in my possession.

Dated 31*st July* 1846.

(Signed) SHIDESHWUR MUHEEPUTROW,
Beenewala.

Given before me this 31*st July* 1846.

(Signed) H. BROWN,
Agent.

59. In the XV. answer of the above statement the Beenewala promised to search for any accounts he might have regarding his father having collected and accounted to the Paishwa for Rs. 12,000 of the revenues of Modugay. He accordingly, on the same or the following day, presented to the Agent for Sirdars a document which the latter officer forwarded, along with the Beenewala's last statement, to the Inam Commission. The document in question purports to be a "copy of the Taleebund accounts of the

* The six Takeeds alluded to in this XVIII. question are included in the eighteen sent with the XV. question above. They are the 5th, 8th, 14th, 15th, 16th, and 24th papers described in para. 47.

Fort of Azumnuggur, Oorf Belgaum, from the beginning till the close of Soorsun Khumas Teesaeen Meia and Alif (A. D. 1794-5)." These accounts, among the items for which the Beenewala is answerable to Government, show one of Rs. 12,753, being the collections made from mouza Modugay during eleven years, from the year A. D. 1782-3 until A. D. 1792-3 inclusive. The substance of the first entry regarding this item is as follows :—

Mahadajee Bullal, the son of Ballajee Dewurow, Vakeel at Suwusthan Bednoor, was summoned to the Hoozoor to answer some charge, on which account the revenues of his village, mouza Modugay, in cusba (qy. tuppa ?) Sambrey, of purgunna Azumnuggur, from Sun Sulas Sumaneen till Sun Sulas Teesaeen (A. D. 1782-3 till 1792-3) were collected, and placed in deposit. Now, however, an order has been issued that from the year Arba Teesaeen (A. D. 1793-4) the revenues of the abovenamed person's village are not to be collected, but that what has already been placed in deposit is to be paid up to the Sircar. In consequence of which the sum of Rs. 12,753 has been fixed, after adjustment with Mahadajee Bullal, as the sum payable to Government; and has been paid by being included in the fund used for answering drafts from Government payable out of the general balances.

The abovementioned sum being thus shown in the opening of the Taleebund, under the head of sums payable to the Sirkar, and included in the gross amount of realizable revenue, is debited without particular notice in the general account of payments made in discharge of the entire amount of revenue due by the Mamlutdar.

60. The following is the purport of the examination of the claimant's second witness, Bulwunt Baboorow, Dufterdar of Shahapoor, whose age and infirmity, added to a palpable desire to give as little information as possible, make his testimony very unsatisfactory.

Deposition made before the Inam Commission by Bulwunt Baboorow, Dufterdar of talooka Shahapoor, aged 82 years :—

Question I. (by the Commission.)

How many years have you resided in Shahapoor, and what has been your employment there ?

Answer I.

I have lived in Shahapoor since I was born, and used to hold the office of Dufterdar of the Shahapoor talooka, under the Putwurdhuns.

Question II. (by the Commission.)

Throughout how long a period can you remember the state and circumstances of the Shahapoor purgunna ?

Answer II.

I can remember the state of the purgunna since twenty years previous to the year Meiatain and Alif (that is since A. D. 1779-80); but during that time I was absent from Shahapoor, and resided in Belgaum,* for ten years, from the year Ehude Meiatain (A. D. 1800-1) until Teesa Meiatain (A. D. 1808-9) inclusive. Afterwards, in the year Ashur Meiatain (A. D. 1809-10), Chintamun Row Apa Sahib gave me a provision, and since then I have enjoyed the salary allotted to me by Apa Sahib, without doing the duties of Dufterdar.

* This witness seems to put forward his residence at Belgaum, and consequent absence from Shahapoor, as an excuse for the ignorance he pretends regarding what happened in Modugay meanwhile; but it must be recollected that Belgaum is not half an hour's walk from Shahapoor.

Question III. (by the Claimant.)

Mouza Modugay, of talooka Shahapoor, is now continued to Mahadajee Sudasew Bapput; were you acquainted with his father and grandfather; and if so, state what were their names?

Answer III.

I was acquainted with the father of Mahadajee Punt Bapput; I knew but little of his grandfather, besides having seen him once or twice. The father's name was Sudasew Punt; that of the grandfather, Mahadajee Punt.

Question IV. (by the Claimant.)

What situations were held by the abovenamed Bapput's grandfather and father under the Paishwa's Government; and when did they die? Write whatever you may know of your own knowledge on these points.

Answer IV.

I do not know what situations were held by Mahadajee Bapput's grandfather and father under the Paishwa. Sudasew Punt Bapput died about fifteen years ago. I do not know when the present Mahadajee Punt's grandfather died.

Question V. (by the Claimant.)

Should the said Bapput's grandfather and father have held any employment under the Paishwa, what were their salaries, and from whence received? State what you may know of this.

Answer V.

I do not know what employment under the Paishwa was held by Bapput's grandfather or father, nor what were their salaries, nor from what source received.

Question VI. (by the Claimant and Commission.)

During the period through which your memory extends, how was the revenue of Modugay collected? Was it collected by the Sirkar, or by Bapput's predecessors?

Answer VI.

The management of Modugay was not under Shahapoor, and no collections from it were received there. Bapput received the collections of the village, but I do not know how he disposed of them; and I cannot say whether the collections were first made through the medium of the Sirkar, and then made over to Bapput, or whether Bapput used to receive them directly from the Ryots.

Question VII. (by the Commission.)

In the year Arba Meiatain and Alif (A. D. 1803-4) the Paishwa wrote a letter to Chintamun Row Pandoorung, informing him that the village of Modugay, which had been held in Surinjam by Mahadajee Bullal, was now, in consequence of his death, resumed, and made over to be managed in Comavis by Dhondo Narayen. Did this order from the Paishwa take effect or not? Write what you know on this subject.

Answer VII.

I am ignorant whether or not the Paishwa wrote such a letter to Chintamun Row Apa; and do not know whether or not any arrangement of the nature mentioned in it took place.

Question VIII. (by the Commission.)

Modugay was excluded from the Putwurdhun Surinjam as being held by Mahadajee Bullal; write what you may know as to the terms on which Mahadajee Bullal held the village; was it deducted in the (Putwurdhun's) Tynat Jabita as Inam, as Surinjam, as Jagheer, or as service wages?

Answer VIII.

I never saw the Tynat Jabita (!), and I do not know under what circumstances the village was excluded.

Question IX. (by the Commission.)

In your IV. answer you have stated that you do not know what service under the *Paishwa* was performed by Mahadajee Bapput's grandfather and father: did they perform any service under the *Putwurdhuns*?

Answer IX.

Mahadajee Bapput's grandfather held no employment under the Putwurdhuns, but his father, Sudasew Punt, was employed as Vakeel under Chintamun Row Apa; and the same employment is now held by Mahadajee Punt.

Question X. (by the Commission.)

Your replies made to the questions asked you have been read over; are they all correct or not?

Answer X.

They are all correct; there is nothing to alter in them. I have thus given true answers to the questions put to me.

Dated 25th September 1846, *at Belgaum.*

Attested by two witnesses, the deponent himself being blind.

Given in my presence by Bulwunt Baboorow, and attested by the above two witnesses, this 25th September 1846, *at Belgaum.*

(Signed) W. HART,
Commissioner.

61. The following is the purport of the examination before the Inam Commission of the third of the persons appealed to for evidence by the claimant in his XIII. answer, recorded in the 55th paragraph.

Statement made by Ramchunder Bhojrow, Deshpande of talooka Padshapoor, before the Inam Commission:—

Question I. (by the Claimant.)

How old are you?

Answer I.

Seventy years old.

Question II. (by the Claimant.)

Mouza Modugay, of talooka Padshapoor, is now held by Mahadajee Sudasew Bapput; were you acquainted with his father and grandfather, or not? If so, state their names.

Answer II.

The name of Mahadajee Punt's father was Sudasew Punt; and *his* father's name was Mahadajee Punt. I have some recollection of seeing Mahadajee, but I was young at the time, and do not well recollect him. I was acquainted with Sudasew Punt.

Question III. (by the Claimant.)

What situations were held by the abovementioned Bapput's grandfather and father under the Paishwa's Government, and when did they die? Write whatever you may know, of your own knowledge, on these points.

Answer III.

I am not sure whether or not Mahadajee Punt's grandfather, Mahadajee Punt, held any employment under the Paishwa; Sudasew Punt did not hold any situation under the Paishwa's Government. I was with Gokhla at Poona, and am acquainted with the circumstances of that time; and I am sure that Sudasew Punt Bapput held no employment under the Sirkar.* I do not know when (the present) Mahadajee Punt's grandfather died. Sudasew Punt died about fifteen years ago.

Question IV. (by the Claimant.)

Should the abovementioned Bapput's grandfather and father have held any employment under the Paishwa, what were their salaries, and whence received?

Answer IV.

Mahadajee Punt's father and grandfather had no employment under the Sirkar, nor did they receive any salary. They had no offices under the Durbar.

Question V. (by the Claimant.)

For how many years have you held the Deshpandea's wuttun?

Answer V.

Yemajee Lingo formerly held the wuttun of Deshpandea.† It came from him to me about thirty years ago.

Question VI. (by the Claimant.)

During that period how were the collections of revenue from Modugay managed? Were the revenues collected by the Sirkar or by Bapput's father?

Answer VI.

During the thirty years I have mentioned, I have heard that the management of the village was, previous to the introduction of the Company's Government, with Trimbuckjee Denglia. I was then at Poona. Ever since the introduction of the present Government the collections have been made by Bapput.

Question VII. (by the Commission.)

The replies you have made to the above six questions have been read to you; are they correct, or is anything to be altered?

Answer VII.

They are all correct; there is no alteration to be made.

* This is doubtless true: if Sudasew Punt had been employed by Government, the village would not have been resumed by the Paishwa at his father's death in A. D. 1803-4.

† But the Deshpandea's wuttun held by this witness does not include Modugay, as he admits in his VIII. answer. The Deshpandea to whose jurisdiction Modugay really belonged has given the deposition recorded in para. 37.

Question VIII. (by the Commission.)

Is mouza Modugay included in the jurisdiction of your wuttun, or not?

Answer VIII.

It is not: Modugay is a village of purgunna Shahapoor, with which my wuttun of Deshpandea has no connection.

Dated 1st August 1846.

(Signed) RAMCHUNDER BHOJROW,
Deshpandea.

Given before me this 1st day of August 1846.

(Signed) W. HART,
Commissioner.

62. The claimant's fourth witness, Lingo Punt, was examined by letter, through the Political Agent S. M. C. The following were the questions sent to him, and his replies.

Purport of the statement of Lingo Punt Nisbut Sirlushkur (the Nipaneekur) :—

Question I. (by the Claimant.)

What is your age, and what your occupation till now? What pension do you now hold under Government for your family maintenance?

Answer I.

My age is sixty-eight years; I was a Karbharee of the Sirlushkur; and I now enjoy, for the support of my family, an annual pension of Rs. 9,791-15-0 from the Hon'ble Company.

Question II. (by the Claimant.)

Mouza Modugay, of talooka Shahapoor, is now held by Mahadajee Sudasew Bapput. Were you, or were you not, acquainted with his father and grandfather? If you were, what were their names?

Answer II.

I was acquainted with the said Mahadajee Punt's father, whose name was Sudasew Punt; but did not know his grandfather.

Question III. (by the Claimant.)

State, as far as you know of your own knowledge, what employment under the Paishwa's Government was held by the said Bapput's grandfather and father, and when did they die?

Answer III.

I do not know what situation was held by the said Bapput's grandfather under the Paishwa; his father, Sudasew Punt Bapput, used to attend the Paishwa's Durbar at Poona; and he used also to attend on the Hon'ble Company's Vakeels, Cursetjee Shet Modey and Bapoo Sanney. Subsequently, from Sun Suman Ashur Meiatain and Alif (A. D. 1817-8), he used to attend at Dharwar, &c. as a Vakeel on the part of the Sangleekur (Chintamun Row) to the Company's Sirkar. It may be about fifteen years since Sudasew Punt died.

Question IV. (by the Claimant.)

Should the above Bapput's grandfather and father have held any appointments under the Paishwa, what were their salaries, and whence paid?

Answer IV.

I know nothing of Bapput's grandfather. His father used to attend the Paishwa's and Company's Sirkar; but I know not what salary he may have received, nor from what source.

Question V. (by the Claimant.)

For how many years has Modugay been continued, free of all payments, to Bapput's family? State what you may know on this point.

Answer V.

In Sun Ehude Meiatain and Alif (A. D. 1800-1) four battalions and other troops belonging to Sindeh Alijah Bahadoor were employed by the Sirlushkur for some time in this province; and, according to orders from the Paishwa, Khundnee was levied in the talookas and from villages of Inamdars. Khundnee was at that period levied from Modugay as the Inam of Bapput; and the Sirlushkur, on two or three subsequent occasions, received Khundnee from him on account of the same village. As far as regards the village being continued to Bapput, I am acquainted only with what has occurred since Sun Ehude Meiatain (A. D. 1800-1).

Dated 25th Rujub Fuslee 1256 (A. D. 1846).

(Signed) LINGO PUNT NISBUT,
Sirlushkur.

63. The following is the substance of the replies of Chintamun Row Apa Sahib Putwurdhun, the claimant's fifth witness, to the questions forwarded to him by the Inam Commission, through the Political Agent S. M. C:—

Question I. (by the Claimant.)

What is your age?

Answer I.

I was born in Shuk 1696 (A. D. 1774-5).

Question II. (by the Claimant.)

Mouza Modugay, in talooka Shahapoor, is held rent-free by Mahadajee Sudasew Bapput: were you acquainted with this person's father and grandfather? If so, what were their names?

Answer II.

Mahadajee Sudasew Bapput's father was called Sudasew Punt. He was in my service, as his son, Mahadajee Sudasew, now is. Mahadajee's grandfather's name was Mahadajee Punt; I may have seen him, but do not recollect at what period.

Question III. (by the Claimant.)

What service did the said Bapput's grandfather and father perform under the Paishwa's Government; and when did they die? State what you may know, of your own personal knowledge, on these points.

Answer III.

I have heard that neither Bapput's grandfather nor father performed any service under the Paishwa's Government. I am asked to state what personal knowledge I have as to when they died. As for that, it is not my custom to keep a record of the news of deaths of persons not of my own household! As well as I remember, Bapput's father, Sudasew Punt, died about sixteen years ago.

Question IV. (by the Claimant.)

Should you be aware that Mahadajee Bapput's grandfather or father performed any service under the Paishwa's Government, be so good as to state what you know as to what salary they may have received, and from what source it was paid.

Answer IV.

I have heard that Bapput's grandfather and father performed no service under the Paishwa's Government; whence, then, should they get any salary?

Question V. (by the Commission.)

Mahadajee Sudasew Bapput holds mouza Modugay, in tuppa Sambrey. On an inquiry being instituted as to the reason of his doing so, the said Bapput produced in evidence, before the Collector of Belgaum, a document purporting to be a copy of the Tynat Jabita of Wamun Row Govind. On comparing this copy with the Tynat Jabita in the Paishwa's Dufter, it is all correct, with the exception of one item; and that item is the very one which is material to the investigation instituted regarding Bapput's village. It is the clause deducting mouza Modugay from purgunna Shahapoor, in which it ought to be deducted "in lieu of service wages" *(Budul Mooshahira)*, whereas it is entered as if "according to last year" *(Burhookm Goodust)*. Bapput now declares that it was you who furnished him with the above copy; wherefore you are requested to explain if you should be aware how the error in it occurred.

*Answer V.**

The original Behra was kept in the Paishwa's Dufter, and copies of it were given for our use. The copies and other documents relating to the estate are all in Merij with Mahadorow Baba. In the copy of the Behra which I obtained myself the letter ब (B) is written, followed by two kanas. In the same manner letters which may be read either मु (moo) or गु (goo) are inserted, also followed by two kanas. On looking at this copy, two meanings appear. The person who prepared the copy (about which I am asked) may have been ignorant (which to follow), but this is not any error. The doubt is occasioned by the copy having been written without understanding the intention of the letters (or abbreviations) used. Another mode (of reading) may be this:— In the Behra issued to Govind Punt Nana Sahib the valuation of the village was from the first entirely excluded, and only the valuation of the Shahapoor Mahal, independent of it, mentioned; and when Wamun Row Baba's Behra was issued, a notice was entered of the village being, as before, wholly excluded, Bapput's name being now mentioned. It may therefore be understood that the phrase "according to last year" (*Burhookm Goodust*) may be used in relation to the former record.† It appears that the deduction is an indefinite one, and that its meaning does not contain any proof of performance of service, so that (the copy?) was not written in detail. No certain conclusion can be formed on this point without seeing the original Behra.

Question VI. (by the Commission.)

The Paishwa, Bajee Row Sahib, wrote to you on the 9th of Rubbee-ool Awul, in Soorsun Arba Meiatain and Alif (A. D. 1803-4), stating that in consequence of the death of Mahadajee Bullal the village of Modugay, which had been held by him in Surinjam, was resumed, and made over to be managed in Comavis by Dhondo Narayen. Did you give effect to the arrangement mentioned in this letter of the Paishwa's, or not?‡ If not, what was your reason for disregarding it; and who held the

* Chintamun Row's V. answer is worthy of a professional special pleader. The Government records already quoted from para. 5 to para. 17, however, prevent it from misleading.

† The "former record" was issued not the *previous* year, but nine years before.

‡ The Paishwa's letter alluded to in this question has been described in para. 23.

Comavis of Modugay in that year, and afterwards? In the Paishwa's Dufter also there is an account of the year Suba Meiatain and Alif (A. D. 1806-7), which purports to be "a list* of the Doomalla villages, nemnooks, &c., formerly held under the Sirkar by various persons, and reserved from being included in the Putwurdhun's Surinjam, which holdings, however, the Merijkur Putwurdhun has of late been appropriating"; and in this list, under the head of purgunna Shahapoor, is entered the village of Modugay. Further, the Coolkurnee of Modugay has produced several Takeeds and other papers relating to the management of the village by your Soobhedar of purgunna Shahapoor, during the three years intervening between the dates of the above records; and from all this it would appear that, after the issue of the Paishwa's letter, the village was managed by your officers. Be so good as to state whether or not this was the case, and if so, at what subsequent period, by whose authority, and for what reason, was the village given back to the son of the deceased Mahadajee Bapput.

Answer VI.

I never received any letter from the Paishwa relating to the Comavis of Modugay being assigned to Dhondo Narayen; and the village was never managed nor its revenues collected by me. How could its Comavis have been with another (than Bapput?) either then or subsequently? I am told there are Takeeds of the Shahapoor Soobhedar during three years at this time. There was no management of Modugay as a *khalsat* village under the Shahapoor Soobha. The Kittoorkur and others were committing ravages in the Shahapoor talooka; and at that time levies of Khundnee, &c. used to be made. These levies were arranged at the Mahal,† and the shares by which they were to be raised were apportioned among the several villages. The share apportioned to be paid from Modugay may have been then levied; but the management of the village was never attached to the Mahal in consequence of any resumption of it from Bapput, who now holds the village according to his former enjoyment.

Question VII. (by the Commission.)

Mahadajee Sudasew Bapput has presented a writing, in the hand of General Munro, about Modugay, in which that village is said to be held as Jagheer by Ballajee Mahadeo, a servant of Chintamun Row. Be so kind as to state what kind of service Ballajee Mahadeo used to perform for you.

Answer VII.

Ballajee Mahadeo was the brother of Sudasew Mahadeo, who was in my service as Vakeel, and has been succeeded in the same service by his son, Mahadajee Sudasew. When the late General Thomas Munro came from the Carnatic into this province, Sudasew Mahadeo‡ used to attend on him on the part of the Shahapoor Soobha, and made himself agreeable to the Sahib, zealously doing his duty according to his orders. For this reason the Sahib was so kind as to give him the writing about Modugay, but when Sudasew Mahadeo was to receive it, he did not have it written in his own name, but in that of his elder brother, according to the custom of our people; and in this manner the name was entered.

* The list here alluded to has been mentioned in para. 24.

† But Chintamun Row had no right to make any arrangements at *his* Mahal about Modugay, whether it was khalsat or doomalla, to Bapput; for, in either case, it ought to have been held under Government, and not under the Surinjamdar. This explanation, therefore, of the interference of the Shahapoor Soobhedar is unsatisfactory. Compare last note at page 22 and third note at page 31.

‡ Chintamon Row, in his letter quoted at page 30 in note on the claimant's XXIV. answer, ascribed the services which obtained General Munro's favour to Ballajee Mahadeo, Sudasew's brother.

The above seven replies are dated on the 15th Ramzan, and were forwarded to the Commission by the Political Agent, on the 16th October 1846.

64. Subsequent to the receipt of the above recorded replies of the claimant's five witnesses, the Commission having again procured his attendance put to the claimant, on the 8th December 1846, an additional question, which, with his answer to it, is translated below: —

Question XXVI.

Formerly, on the 6th of June last, the Inam Commission put to you several questions with a view to understand on what grounds you assert mouza Modugay to be your Surv-Inam, and received your replies. At the same time additional questions were put to you regarding those points on which the evidence offered by you appeared insufficient, and all the documentary evidence afforded by you having been received and recorded, your statement was closed on the 13th of the said month. In the end of the XIII. answer of your statement you mentioned the names of five persons whose evidence you requested might be taken; giving in copies of the questions you wished to be asked of them. Since then these questions, and others from the Commission, have been sent out, and answers to them procured. The whole of these questions and answers are to be shown to you. Having examined them, state whatever else you may have to represent.

Answer XXVI.

I have seen the questions put to the five witnesses, and their replies; and have thereupon to offer the following explanation:—

You inform me that, in the records of the Poona Dufter, my village is said to be "in lieu of service wages." This is correct. It must have been so designated at the period when my great grandfather performed service for the Sirkar; but when my great grandfather obtained permission from the Sirkar for resigning its service, and went to live at home, why did the Paishwa continue the village to him? If it had been held for service, it would not have been continued after he went to live at home. My grandfather, too, was an adopted son; if service had been due by him, it would have been required, but, instead of this, the village was uninterruptedly continued to him without service being taken from him. In my great grandfather's time, some one got up a complaint against him to the Sirkar, and Carkoons came from Poona to Belgaum to investigate the matter. They dug up and examined the place, but no treasure was discovered. On the return of the Carkoons to Poona they suggested something or other to the Beenewala, who from that day took possession of the village, and placed its revenues in deposit. The village was, however, still entered in the accounts in my grandfather's name; and there was no resumption ordered by the Sirkar. If the Beenewala's proceedings in this had been authorized by the Sirkar, the revenues would have been entered every year in the Government accounts, which they were not. Subsequently, the Beenewala himself was accused of peculation, and then informed the Sirkar that the revenues of Modugay were in deposit. Even then the Sirkar released and gave back the village. There may be proof of this in the Dufter. Now if the village *should not* have been continued because of its being a service-holding, why *was* it so continued? After my grandfather's death the village was held by my uncles and father. The reign of the Paishwa Bajee Row was one of confusion. The letter which was written by him during that time, in Fuslee 1213 (A. D. 1803-4), to Chintamun Row Sahib Putwurdhun, was not received by the latter; but if the Paishwa had intended that (our) village should not have been continued, what was to have prevented him from sending a Takeed from the Hoozoor to desire the Sur Soobhedar to take possession of it? The reign of Bajee Row continued from Fuslee 1213 until Fuslee 1227 (from A. D. 1803-4 until 1817-8). You may

see if there is any proof in the Dufter that any collection from mouza Modugay was received by him during that time. In Fuslee 1224 (A. D. 1814-5) the Mamlutdar of Belgaum took possession of the village; but it was returned five months afterwards, along with all the collections made during that time. Evidence of this fact is in the possession of Dewurow, Deshpande of Ankule; I beg that you will receive it from him. If the Sirkar had not intended to continue our village, it would not have allowed it to be continuously held without requiring service for sixty years. If you will kindly see whether there be any proof in the Dufter that any service was performed for the village up to the close of the Paishwa's Government, you will be assured on this point.

The Coolkurnee has stated that the village was managed as khalsat for forty-one years by the Beenewala, and for four years by the Putwurdhun. Government will judge from the Paishwa's Dufter whether or not the village became khalsat, or was entered as such in the Sirkar's accounts.*

When my great grandfather first got the village its revenue really was Rs. 918-8-0. As a case similar to this, I may state that the revenue of the Shahapoor talooka, with the talooka of Angâl, Kuryat Keenee, and Kudghera, as entered in the Putwurdhun's Surinjam, appear at a valuation of only Rs. 45,000; whereas it now really amounts to about a lac of Rupees. In the same manner the revenue of Modugay was then as stated; but my ancestors, with much trouble and expense, increased its prosperity, and in this manner its revenue became greater; but you may examine whether or not there is anything in the Government accounts to show that, from the first until now, we ever gave the excess of revenue above Rs. 918-8-0 to the Sirkar.† Towards the close of the Paishwa's reign Duhuk Puttee‡ and Eksalee were levied; the accounts of this are in the Dufter, and Wurats (drafts) were given on our village, at the same time and in like manner that they were on all the Jagheerdar's Surinjams, &c. under the Paishwa.

In the time of the Paishwa our village was called in the accounts a "Mokhassa" one. After the establishment of the Company's Government, on its being established by the Government accounts that the village was wholly exempt, and not held on condition of service, it was entered (as Inam ?) in my name in the official list.

This is the explanation I have to offer. I trust that Government will consider it, and continue my village as it has been continued from of old.

(Signed) MAHADAJEE SUDASEW BAPPUT.

Given in my presence this 8th December 1846.

(Signed) W. HAUT,
Member of Inam Commission.

65. The Commission has received the evidence of Dewurow Deshpande, offered by the claimant in his last answer. In receiving additional evidence at such a late stage of the proceedings, in this case, and after the claimant had declared that all the proofs he could offer had already been exhibited by him, the Commission may appear to have afforded to him an undue indulgence, and an unjustifiable opportunity of fabricating evidence on the points regarding which he must necessarily, during this protracted investigation, have discovered any deficiency of proof which might exist in the Government Dufter. The Commission, however, has, in the claimant's case, considered it

* It was not so entered during the Beenewala's time, but certainly was so in A. D. 1803-4, and afterwards.

† The Commission has hazarded a conjecture in a point related to this question, in para. 74.

‡ The levies here alluded to were contributions taken from all Government servants, retainers, &c. by Bajee Row during his pecuniary embarrassments. They will not account for the money orders on Modugay mentioned in the early part of the report as registered in the Poona Dufter, for all of them are dated before Bajee Row's reign.

better to risk error on the side of leniency, than, in adopting the more evidently correct course of rejecting the evidence now offered, to give to him, in disposing of his title, any ground of complaint, however unsubstantial.

66. The Commission will, therefore, now proceed to record the substance of the deposition of Dewurow Balkrishn, Deshpande, aged 39 years, made at Belgaum on the 12th December 1846 :—

Question I.

Mahadajee Sudasew Bapput holds mouza Modugay ; this Bapput has stated that you have in your possession some proofs regarding the restoration of the said village to his father, after it had been kept from him in attachment for five months in A. D. 1814-5 ; and has requested that they may be sent for and examined ; wherefore the Commission has called you that you may produce whatever evidence may be in your possession regarding the attachment and restoration in question, and explain whatever you may know on the subject.

Answer I.

In Fuslee 1224 (A. D. 1814-5) 363 Shapooree, equal to 421 Shumbhoo Rupees, of the revenue of mouza Modugay, were placed in deposit in the hands of my father, Balkrishn Punt Bhow Deshpande.* This money was given back to Bapput by the consent of three persons, viz. Syajee Moole, a Karbharee of the Sur Soobheedar Trimbuckjee Denglia, and Ballajee Geermajee and Gunesh Pandoorung, both Karbharees of the Mamlutdar Antajee Eshwunt. I now produce three documents relating to this transaction, as follows :—

1. A letter dated 2nd of Rubbee-ool Akhir, (the year not mentioned,) written by Ballajee Geermajee oorf Bulwuntrow Tilwé to my father, Balkrishn Bhow Deshpande.

2. A receipt dated 11th Chytr wudh Shuk 1737 (A. D. 1814-5) given by Sudasew Bapput to Balkrishn Punt Bhow Deshpande, acknowledging the restoration to him, in conformity with Bulwunt Row Tilwé's letter, of 363 Shapooree Rupees of the revenue of Modugay, which had been in his (the Deshpande's) keeping.

3. A memorandum in my father's handwriting, about the return of the above sum, in Soorsun Khumas Ashur Meiatain and Alif (A. D. 1814-5).

I have produced these three documents, but do not know who placed the revenue to which they relate in deposit with my father. From Ballajee Geerdhur's letter it appears to have been placed in deposit for the Sirkar. At the time when the transaction took place, Antajee Eshwunt was Mamlutdar of Belgaum and Padshapoor. This I state from hearsay. Except the above, I know nothing about the matter.

Question II.

When did your father die ?

Answer II.

In three months it will have been four years since his death.

Question III.

Have you any documents referring to Modugay besides the three which you have now produced ?

* This person, generally known by the name of Hoodlee Bhow, was employed as an Agent and Mamlutdar under both the late and present Governments. He was, as late as five or six years ago, Mamlutdar of Hooblee, and there is a Canarese ballad current in that district which ascribes great credit to Mr. Goldsmid for obtaining his removal as a punishment for his oppression. It must have been in his capacity of Agent, and not as Deshpande, that he received the deposit here mentioned by his son.

Answer III.

Excepting these I have none. I have given the above answers to the questions put to me this 12th December 1846.

(Signed) DEWUROW BALKRISHN,
Deshpande.

Given before me this 12th December 1846.

(Signed) W. HART,
Member of Inam Commission.

67. The documents produced by the Deshpande, whose statement has just been recorded, are as follows :—

1. A letter dated 2nd of Rubbee-ool Akhir, but in what year is not stated, purporting to be addressed to Balkrishn Punt Bhow Deshpande by Ballajee Geerdhur, to the following effect :—

"The revenue collected from mouza Modugay came to you ; you were told to keep it in deposit, and a note also was sent to you. This revenue you are now to give Sudasew Punt Dada Bapput ; you will gratify me by frequently writing to me. There are marriages contemplated in Dada's family ; be so good therefore as to assist, by whatever means you can, the completion of all that is necessary for the weddings, and enable Dada to come speedily to Poona. My confidence is placed entirely on you ; you must not be disregardful of me ; what you promised when you went away from here has not been performed. Dada will explain all to you. What more need I write ? Keep me in your affection ; this is my supplication."

2. A receipt dated the 11th of Chytr wudh in Shuk 1737, Yoov Sunwutsur, Soorsun Khumas Ashur Meiatain and Alif (A. D. 1814-5), purporting to be addressed by Sudasew Mahadeo Bapput to Balkrishn Punt Bhow Deshpande, to the following effect :—

"The collections of the revenue of mouza Modugay were received by you, and Bulwuntrow Tilwé has written to you that they are mine, and are to be given back to me. I have received these, viz. 363 Shapooree Rupees. What more can I write ? Exercise kindness ; this is my prayer."

3. A document in the shape of a rough memorandum, as follows :—

"MEMORANDUM.—Revenue of Modugay placed in deposit in Soorsun Khumas Ashur Meiatain and Alif. This money belongs to Bapput Modugaykur, and was given to him by the permission of Syajee Moole, viz. 363 Shapooree Rupees, equal to 421 Shumboo Rupees, at the exchange of 16 per cent. The above Rs. 363 were given to Sudasew Bapput Modugaykur, by permission of Syajee Moole, Gunesh Pandoorung, and Balajee Geerdhur, and his receipt taken ; wherefore it is not to be entered in my accounts with Antajee Eshwunt.

68. The record of the above documents completes the Commission's proceedings in this case ; and all that now remains for it to do, is to explain the opinion to which it has come regarding the claimant's title. In order to effect this with any degree of perspicuity, it seems necessary to consider the circumstances of Modugay at four principal periods, as elucidated by all the matter recorded in this report.

First. At its assignment, in A. D. 1758-9, to Ballajee Dewurow Bapput ; including a consideration of the terms on which it was then allotted to that person.

Second. From the time of the assignment of the village, as above, until the issue of the Paishwa's orders for its resumption, after the death of the original assignee's son, Mahadajee Bullal, in A. D. 1803-4.

Third. From A. D. 1803-4 until the introduction of the present Government, in A. D. 1817-8.

Fourth. Since the introduction of the present Government.

69. As to the condition of Modugay up to the time of its assignment, the little evidence discoverable shows that it was a khalsat village of a Mahal which, though afterwards allotted in Surinjam to Govind Hurree, was then managed directly under Government. The fact that the assignment of the village to Bapput took place while the Mahal was thus managed accounts for it having never been included in the Putwurdhun's Surinjam.

First period.

70. Owing to the non-production by the claimant of the original Sunnud, and the deficiency in the Poona Dufter noticed in the 7th paragraph, the only evidence forthcoming regarding the terms on which Modugay was assigned to Ballajee Dewurow is *incidental.* The claimant at first asserted (in his V. answer) that the original grant to his family was a free and unconditional one; but, on finding what a mass of evidence was contained in the Dufter to show that this assertion was false, he has latterly, in his XXVI. answer, modified it by a somewhat ambiguous explanation. The Coolkurnee, on the other hand, produces (at para. 45) what he calls proof that the only interest in Modugay granted to Bapput was a Nemnook charged on it, of Rs. 1,000. His assertion to this effect is, however, as little to be depended on as the claimant's opposite one; for it has been shown, by the records quoted in paras. 5 and 6, that the whole village was made over to Ballajee Dewurow in A. D. 1758-9, according to a Sunnud from the Hoozoor dated 23rd of Jumad-ool Awul in that year.

71. The records last alluded to, agreeing as they do with the whole of those afterwards described up to the 20th paragraph, appear to the Commission to afford sufficient reason for wholly setting aside the assertions of both claimant and Coolkurnee as to the terms of the grant to Ballajee Dewurow; and for concluding that the whole village was originally assigned to him, at the assumed valuation of Rs. 918-8-0, in lieu of wages for service.

72. In forming an opinion on the circumstances of Modugay during the second of the periods enumerated in the 68th paragraph, it will be chiefly requisite to consider the purport of the thirty-two documents produced by the Coolkurnee, and described in para. 47; of the six documents furnished by Nana Keerluskur, as mentioned in para. 52; and of the account described in para. 59 as sent in by the Beenewala, whose examination is recorded in the two preceding paragraphs, 57 and 58. None of the parol evidence, however, obtained in this case is worthy of any consideration as elucidating the history of Modugay during the period in question.

Second period.

73. It will have been observed that the two first of these sets of documents, viz. those produced by the Coolkurnee and Keerluskur, show a degree of interference by a Government officer with the management of Modugay which could not have taken place had the village been an Inam, unless it were a sequestrated one; and, even in the latter condition, it would have been, according to the custom of all accounts in such cases, mentioned in the records as a "Juptee Inam." The Taleebund produced by the Beenewala states that the collections were placed in deposit for eleven years, and alludes to Modugay as "Bapput's village," though not his *Inam* village; but the Coolkurnee's accounts show the interference of the Beenewala for several years before the eleven mentioned in the account of the latter. These accounts appear genuine; and the question is how they can be reconciled with the Paishwa's records, the evidence afforded by which (recapitulated partly in para. 17, and partly in para. 28) is to the effect that Modugay was continued in the Hoozoor accounts as held by Bapput, in lieu of service wages, throughout the whole of this second period.

74. As many of the accounts produced by the Coolkurnee as allude to Bapput's connection with the village mention it as his *Mokhassa.* This is a word which appears to have been introduced into the accounts of the Mahrattas in this province from those of their Mussulman predecessors, and, like most revenue terms so derived, to have been

somewhat indeterminate in the sense in which it was used : when applied to the *tenure* of villages or lands, it is generally used to designate those in which the whole or part of the revenues are assigned for the payment of State servants. The Government accounts state that the whole of Modugay was allotted and continued to Bapput on similar terms ; but the valuation at which it was so continued was only Rs. 918-8-0, whereas the Jummabundee accounts produced by the Coolkurnee (in para. 47) would show that its actual revenue averaged, from the first, more than double that sum. The Commission considers it probable that the Beenewala, observing this, may have collected the whole or part of the surplus, which would account for his interference. It is true that he did not account to Government for anything so levied, excepting the one sum of Rupees 12,753 entered in the accounts quoted in the 59th paragraph; but this is no reason for supposing that he did not collect on his *own account*. The very fact of the collections which he was obliged to repay to Government in A. D. 1794-5 not having been *every year* entered by him in the Government accounts, but only credited when he was obliged to make them good, shows that he intended to appropriate them, and corroborate the Commission's conjecture, above stated, that he pursued a similar course with previous collections, which he succeeded in retaining, without being obliged to account for them as in the other case.

75. This, however, is only conjecture, and the Commission therefore feels inclined to look merely to what is clearly proved by the Hoozoor records in the Paishwa's Dufter for the whole of this second period ; which is, that the Paishwa, however much he may have been mistaken as to the amount of the real revenue of Modugay, sanctioned the continuance of the *entire* village, in lieu of service wages to Mahadajee Bullal Bapput, and, at his death, ordered its resumption, as explained in the 23rd paragraph.

Third period.

76. The third period is the most important of all in the history of Modugay ; for, even were there nothing to disprove the claimant's assertion that the village was originally granted to his family as unconditional Surv-Inam, it is clearly proved that, however it may have been held previous to A. D. 1803-4, the Paishwa in that year issued special orders for its resumption ; and it seems reasonable, therefore, that the burthen of showing that his family was afterwards authorized to repossess itself of the village should rest on the claimant. He, however, offers no evidence of this ; and the Poona Dufter shows that the Paishwa never either rescinded his order for the resumption of Modugay, or re-granted it to Bapput's family. There is not even proof that the latter enjoyed it (though unauthorizedly) in an uninterrupted manner during this third period. On the contrary, the record quoted in para. 24, those described in para. 48, and the 11th document produced by the claimant himself with his XIII. answer, all go to show that, some time after the issue of the Paishwa's Sunnuds for resuming the village, the Surinjamdar's Soobhedar was in possession of it ; and that although he afterwards allowed it to return into the hands of Bapput, who had become a dependant of the Surinjamdar, Bapput's enjoyment of it was not even then uninterrupted, the village being again, in A. D. 1814-5, made over for a time to a Government Mamlutdar.

77. Regarding this last transaction, a few remarks are necessary. The claimant (in his X. reply, para. 55) ascribes the attachment of Modugay in A. D. 1814-5 to the unauthorized act of Trimbuckjee Denglia, who, he says, was misled by the misrepresentation of Antajee Eshwunt, to the effect that his (claimant's) family was holding the village without Sunnud. But it must be recollected that this statement of Antajee Eshwunt was *not* a misrepresentation ; as the Paishwa had ordered the resumption of Modugay by the Sunnuds described in para. 23 ; and Trimbuckjee Denglia, who was Sur Soobhedar of the Carnatic in A. D. 1814-5, and then in attendance on the Paishwa, was not only authorized, but bound in duty, to rescue Modugay for the Sirkar, to which it properly belonged. His alleged subsequent restoration of it (regarding which the

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claimant has offered the evidence recorded in paras. 66 and 67) was, if it ever took place, the only unauthorized act which Trimbuckjee appears to have committed.

78. With respect to this third period, the Commission is of opinion that there is clear proof that the Paishwa never authorized the restoration of Modugay to the claimant's family after its formal resumption in A. D. 1803-4, but to the last looked on it as a khalsat village, and that against this fact the claimant cannot plead any uninterrupted enjoyment (even an unauthorized one) of the village, whether as Inam, or on any other tenure.

79. This province was taken possession of by the present Government in A. D. 1817-8.

Fourth period.

The claimant pretends that, at the close of that year, Sir Thomas Munro guaranteed to his family the continuance of Modugay. His evidence on this point has been considered at page 24 in the 1st and 2nd notes ; and the Commission is of opinion that there is no reason for believing that Sir T. Munro ever intended to either countenance or disapprove of Bapput's possession. The claimant when he gave his XIII. answer was not aware of the existence of the document translated in the 31st paragraph, or he would doubtless have appealed to it also as a recognition of his tenure ; but the Commission's opinion on this point has already been explained in para. 32, and nothing recorded throughout the investigation tends to alter that opinion.

80. Having formed the opinions now explained, the Commission cannot recommend any step to Government but that of vindicating the right of which it has been long defrauded, by retaining in its own possession the village, which has been already attached by the Collector of Belgaum, at the suggestion of the Commission.

81. Both of the persons in the claimant's family who are stated to have made themselves useful to Sir T. Munro (viz. Bulwunt Row, or Ballajee Mahadeo, and Sudasew Punt) are dead ; the services of the latter having been repaid during his life by an annual pension of Rs. 240, and the family is a very wealthy one ; so that there seems no necessity for granting a pension to any of its members on resuming the village.

(Signed) W. HART,

Member of Commission for Investigating Claims to Inams, &c.

Belgaum, 11*th January* 1847.

APPENDIX

Showing in detail the Commission's Authorities in the Poona Dufter, for the facts stated from para. 4 to para. 28 of the foregoing Report.

Number of Paragraph.	Description of Record used as Authority.
4.	Ghurneea record, and copy of treaty concluded between the Paishwa Ballajee Bajee Row and the Nuwaub of Savanoor, in Soorsun Seet Khumsaeen Meia and Alif.
5.	Account of the Mahals under Luchmon Konher for Soorsun Teesa Khumsaeen Meia and Alif.
6.	Account of the Mahals in Prant Carnatic under Luchmon Konher for Soorsun Seetaeen Meia and Alif.
8.	Account of the Mahals in Prant Carnatic under Luchmon Konher in Soorsun Ehude Seetaeen Meia and Alif.
9.	Registry, in the Paishwa's Roz Kheerd for the 12th of Jumad-ool Awul in Soorsun Arba Seetaeen Meia and Alif, of a Sunnud allotting a Surinjam to Govind Hurree Putwurdhun. Azmas of the Surinjam under Gopal Row Govind Putwurdhun, in Soorsun Arba Seetaeen Meia and Alif.
10.	Tynat Jabita of the Surinjam of Govind Hurree Putwurdhun in Soorsun Khumas Seetaeen Meia and Alif.
11.	The Awurza relating to purgunna Shahapoor in the Ghurneea accounts of Surinjams for Soorsun Seet Seetaeen Meia and Alif.
12.	Awurza relating to purgunna Shahapoor in the general Ghurneea of Surinjams for Soorsun Suba Seetaeen Meia and Alif.
13.	The Paishwa's Roz Kheerd for the 13th of Zilhej in Soorsun Suba Seetaeen Meia and Alif.
14.	Doomalla Jhara of the holdings of Govind Hurree Putwurdhun in Prant Carnatic for Soorsun Suman Seetaeen Meia and Alif.
15.	Botkhut of Surinjams, Inams, &c. prepared in the office of the Commissioner in the Deccan, from the Poona records.
	The Roz Kheerd of the date on which the Sunnud in question was issued has been lost since this Botkhut was drawn up; but the Sunnud which was issued by the Paishwa on the 30th of Jumad-ool Awul in Soorsun Teesa Seetaeen Meia and Alif is quoted in it at length.
	The Awurza for the Mahals under Govind Hurree, in the general Ghurneea accounts of Surinjams for Soorsun Teesa Seetaeen Meia and Alif.
16.	The Awurza of Govind Hurree's Mahals in the general Ghurneea accounts of Surinjams for Soorsun Subaeen Meia and Alif.
	Two Yads, headed as drawn up according to the information of Govind Hurree, regarding the Doomalla villages and lands, Wurshasuns, &c. yearly enjoyed in the Mahals of his Surinjam for Soorsun Subaeen Meia and Alif.
	The Awurza of Govind Hurree's Mahals, in the general Ghurneea accounts of Surinjams, for Soorsun Ehude Subaeen Meia and Alif.
	A similar Awurza for Soorsun Esune Subaeen Meia and Alif.
	A similar Awurza for Soorsun Sulas Subaeen Meia and Alif.

Number of Paragraph.	Description of Record used as Authority.
16.	Two accounts relating to the Mahals under Govind Hurree, taken from the general description of Surinjams in the Surinjam Khatwanee accounts for Soorsun Arba Subaeen Meia and Alif.
	Tynat Jabita of the Surinjam allotted to Wamun Row Govind, dated 17th Jumad-ool Awul in Soorsun Arba Subaeen Meia and Alif.
	Awurza of Wamun Row Govind's Mahals, in the general Ghurneea accounts of Surinjams for Soorsun Khumas Subaeen Meia and Alif.
	A similar Awurza for Soorsun Seet Subaeen Meia and Alif in the name of Wamun Row's brother, Pandoorung Row Govind.
	A similar Awurza for Soorsun Suba Subaeen Meia and Alif.
	A similar Awurza for Soorsun Suman Subaeen Meia and Alif.
	A similar Awurza for Soorsun Teesa Subaeen Meia and Alif, in the name of Pandoorung Row Govind's son, Hurreehur Row Pandoorung.
	A similar Awurza for Soorsun Sumaneen Meia and Alif.
	A similar Awurza for Soorsun Ehude Sumaneen Meia and Alif.
	A similar Awurza for Soorsun Esune Sumaneen Meia and Alif.
	A similar Awurza for Soorsun Sulas Sumaneen, in the name of Hurreehur Row Pandoorung's brother, Chintamun Row Pandoorung.
	A similar Awurza for Soorsun Arba Sumaneen Meia and Alif.
	A similar Awurza for Soorsun Khumas Sumaneen Meia and Alif.
18.	The Paishwa's Roz Kheerd for the 28th Ramzan in Soorsun Seet Subaeen Meia and Alif.
	The same Roz Kheerd for the 2nd Rubbee-ool Awul in the same year.
	Mukhlasee Yad dated 24th Saban in Soorsun Esune Sumaneen Meia and Alif.
19.	Memorandum respecting the Fouj Surinjam continued to Chintamun Row Pandoorung, Pureshram Ramchunder and Ruggoonath Row Nilkunt, in Soorsun Teesaeen Meia and Alif.
	Memorandum regarding the Surinjam Mahals of the Carnatic with Chintamun Row Pandoorung, in Soorsun Sulas Teesaeen Meia and Alif.
	Copy of the Tynat Jabita of Chintamun Row Pandoorung's holdings, dated 19th of Saban in Soorsun Seet Teesaeen Meia and Alif.
20.	List of Doomalla exceptions from the Mahals held as Surinjam by Chintamun Row Pandoorung in Soorsun Suba Teesaeen Meia and Alif.
	Paishwa's Roz Kheerd for the 7th of Zilhej in Soorsun Suba Teesaeen Meia and Alif.
21.	Paishwa's Roz Kheerd for the 6th of Jumad-ool Akhir in Soorsun Suman Teesaeen Meia and Alif.
22.	Yad regarding Chintamun Row Pandoorung, with relation to the Behra of his Surinjam, for Soorsun Ehude Meiatain and Alif.
23.	Paishwa's Roz Kheerd for the 9th of Rubbee-ool Awul in Soorsun Arba Meiatain and Alif.
24.	List for Soorsun Arba Meiatain and Alif, of the Doomalla villages, Nemnooks, Mokhassa, Babs, lands, &c. formerly held under the Sirkar by various persons, and reserved from being included in the Putwurdhun's Surinjam; which holdings the Merijkur Putwurdhun has of late been appropriating.
25.	Yad, for Soorsun Teesa Meiatain and Alif, of Surinjamee Sirdars, Silledars, Carkoons, &c. holding Surinjam Mahals and villages, and Inam villages and lands.
26.	Two Lists, from the Surinjam Putt of Ashur Meiatain and Alif, of Surinjams, &c. which have been resumed by Government, and given to be managed by Comavisdars.
27.	Memorandum relating to miscellaneous villages in purgunna Shahapoor, in Soorsun Suba Ashur Meiatain and Alif.

No. 3035 of 1847.

To

H. E. GOLDSMID, Esquire,
Secretary to Government,
Bombay.

SIR,

Under the orders of Government, dated 20th ultimo,* No. 4836, I have the honor to transmit a report by the Inam Commissioner, dated 11th January last, disposing of the claim of Mahadajee Sudasew Bapput to the village of Modugay, talooka Padshapoor, zillah Belgaum, in Inam, and to express my entire agreement with Mr. Hart in his view of the merits of this claim.

* To the effect that Reports from the Inam Commission should be forwarded to Government through the Revenue Commissioner S. D., and be accompanied by the opinion of the latter Officer.

2. With regard to the recommendation, in paragraph 80, that the village be immediately resumed, I am not aware under what rule this measure is proposed, or what is the practice of Government in such cases. The tenure by Bapput appears wholly unauthorized, and immediate resumption would appear only a matter of justice.

3. Copy of this report has not been retained; and as these documents in general do not appear necessary to the records of this office, I do not propose to retain copies of any of them, as my present establishment would be quite incompetent for the duty.

4. Mr. Hart's decision was appealed against by Bapput, on the 18th September last, and the present report was received from the Inam Commissioner on the 10th ultimo.

I have the honor to be, &c.,
(Signed) E. H. TOWNSEND,
Revenue Commissioner S. D.

Poona Districts, Revenue Commissioner's Camp,
Pawbul, 6th December 1847.

Minute by the Hon'ble the Governor, dated 5th April 1848, *subscribed to by the Hon'ble Mr. Willoughby.*

The faultiness of the title to hold the village as Surv-Inam, or on any hereditary tenure, is exposed by the facts adduced in the Commissioner's report.

Still the circumstances detailed in that report dispose me to show some of the incumbents more consideration than summarily to dispossess them.

It would appear that although Sudasew Punt Bapput, and, since his death, his son Mahadaje Sudasew only, have been mentioned in the Government records as the holders of the village, six brothers,

Bulwunt Rao,	Sudasew Punt,
Govind Rao,	Moroo Punt, and
Narayen Rao,	Raghoo Punt,

have jointly held the village under our Government.

Of these six brothers, Bulwunt Rao, Narayen Rao, and Sudasew Punt are dead.

I propose that the villages be continued during the joint lives of the remaining three brothers as "Doomalla," and that, on all of them dying, it be brought under Government management as "Khalsat."

The revenues, which have been placed under attachment by the Belgaum authorities, should be made over to the three brothers.*

(Signed) GEORGE CLERK,
„ J. P. WILLOUGHBY.

5th April 1848.

* Orders were issued accordingly, in Government letter No. 2116, dated 12th April 1848.

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on 01 February, 2020